NEGOTIATING AT THE LOWER TACTICAL LEVEL IN PEACE OPERATIONS

A thesis presented to the Faculty of the U.S. Army
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Fulfillment of the requirements for the
degree

MASTER OF MILITARY ART AND SCIENCE

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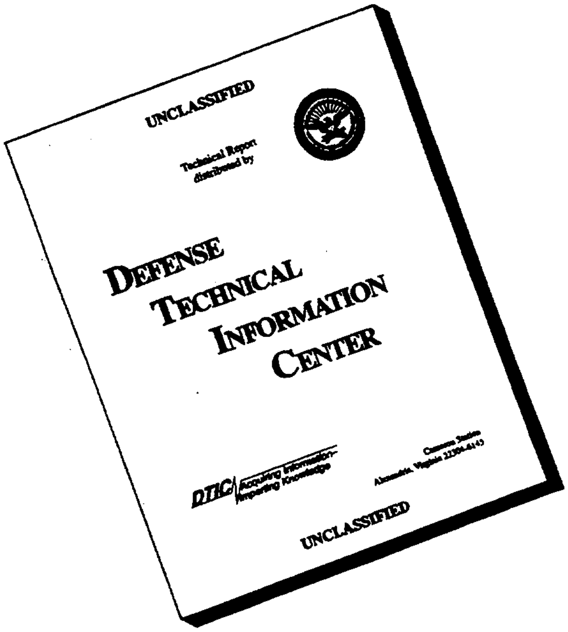

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This study examines a void in current peace operations doctrine--negotiating at the lower tactical level. Current United Nations and military doctrine presents a checklist for conducting meetings but neither explains the theory behind negotiating concepts nor how to apply this theory. Furthermore, this doctrine does not demonstrate that negotiation is a combat multiplier in conflict de-escaltion which can assist diplomatic efforts in attaining a lasting peace. This study investigates the best of negotiating material in business and academia and uses this material to develop a methodology for conducting peace operations negotiations. It compares the traits of professional negotiators with those prized in Army officers, examines the level of skills required at various rank levels, and considers means of gaining negotiating skills. The results of this study should help prepare peace operators in preparing for, conducting, and following up on negotiations. It concludes that negotiating skills are crucial for officers because they are applicable not only to peace operations, but to other military operations other than war and daily interactions of commanders and staff officers. This study recommends that all field-grade officers should learn negotiating skills.

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

ABSTRACT

TACTICAL NEGOTIATING AT THE LOWER TACTICAL LEVEL IN PEACE OPERATIONS by MAJ Todd A. Harmanson, USA, 121 pages.

This study examines a void in current peace operations doctrine--negotiating at the lower tactical level. Current United Nations and military doctrine presents a checklist for conducting meetings but neither explains the theory behind negotiating concepts nor how to apply this theory. Furthermore, this doctrine does not demonstrate that negotiation is a combat multiplier in conflict de-escaltion which can assist diplomatic efforts in attaining a lasting peace.

This study investigates the best of negotiating material in business and academia and uses this material to develop a methodology for conducting peace operations negotiations. It compares the traits of professional negotiators with those prized in Army officers, examines the level of skills required at various rank levels, and considers means of gaining negotiating skills.

The results of this study should help prepare peace operators in preparing for, conducting, and following up on negotiations. It concludes that negotiating skills are crucial for officers because they are applicable not only to peace operations, but to other military operations other than war and daily interactions of commanders and staff officers. This study recommends that all field-grade officers should learn negotiating skills.

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This study would not have been possible without the guidance and encouragement of several people. The first group is my committee. Lieutenant Colonel Swan's patience, direction, and expertise were instrumental in this paper coming to fruition. He guided this study through the difficult aspects of peace operations and negotiation while stoically suffering through the early drafts. Mr. John Hunt reviewed each writing and asked poignant questions that led to a clearer product. His painfully honest and direct comments prevented me from taking shortcuts in subsequent research and rewrites. Lieutenant Colonel Swisher's optimism and positive attitude provided the motivation needed to finish this project.

Several experts took time out of their busy schedules to help and guide my efforts. Margaret Neale, a prolific author, professor, and negotiating seminar director, not only answered all my questions but mailed me one of her books free of charge. Sylvia Babus, Director of the US State Department Negotiating School, also provided guidance as well as a copy of all materials used in her class. Colonel (Retired) Jim McCallum, of the US Peacekeeping Institute, directed my research through telephonic interviews and correspondence.

Others contributed greatly to the final product. Without the support and constant reviews by my staff group, the final product would be less than it is now. The constant encouragement from my loving wife kept me involved in this product. Lastly, my parents, without their belief in education and their personal example, I undoubtedly would not be where I am today.

TABLE OF CONTENTS

Page

APPROVAL PAGE ii

ABSTRACT. iii

ACKNOWLEDGMENTS iv

LIST OF ILLUSTRATIONS vi

LIST OF TABLES. vi

LIST OF ABBREVIATIONS vii

CHAPTER

1. INTRODUCTION. 1

2. REVIEW OF LITERATURE. 15

3. INITIAL ANALYSIS. 35

4. OVERVIEW OF UNITED NATION IRAQ-KUWAIT OBSERVER MISSION. . . . 50

5. COMPONENTS OF NEGOTIATING 62

6. CONCLUSIONS 100

APPENDIX. SUMMARY OF UN SECURITY COUNCIL RESOLUTIONS LEADING TO THE FORMATION OF UNIKOM. 108

BIBLIOGRAPHY. 110

INITIAL DISTRIBUTION LIST 119

LIST OF ILLUSTRATIONS

Figure Page

1. Spectrum Of Peace Operations 5
2. Map Of United Nations Iraq-Kuwait Observer Mission Area. 52
3. The Geometery Of Distributive Bargaining 71

LIST OF TABLES

Table

1. Police Hostage negotiating Principles. 22
2. Negotiating Skills Compared To Army Attributes 37

LIST OF ABBREVIATIONS

BATNA	Best alternative to no agreement
CBM	Confidence building measures
IDAD	Internal Defense and Development
IFOR	Implementation Force
JTF	Joint Task Force
LNO	Liaison officer
METL	Mission essential task list
NGO	Nongovernmental organization
PPD	Presidential Policy Decision
PVO	Private volunteer organization
SILO	Senior Iraqi liaison officer
SOP	Standing operating procedure
TOR	Terms of Reference
TTP	Tactics, techniques and procedures
UN	United Nations
UNFICYP	United Nation Forces in Cyprus
UNIKOM	United Nations Iraq-Kuwait Observer Mission
UNMO	United Nations Military Observer
UNOSOM II	United Nations in Somalia II
USACGSC	United States Army Command and General Staff College
USAWC	United States Army War College

CHAPTER 1

INTRODUCTION

The US Army's recent interest in negotiation techniques as a means of conflict de-escalation began when Major General (MG) Thomas Montgomery, as deputy commander of the United Nations in Somalia II (UNOSOM II) mission and commander of US forces, sat down to conduct complex negotiations with the Somali warlords. His efforts in late 1993 and early 1994 prompted the Army Chief of Staff to ask the United States Army War College (USAWC) what it was doing to prepare senior officers for negotiations. Because the USAWC Commandant had no established program, he sent selected instructors to the top negotiating seminars around the country and directed them to establish an elective. These instructors developed a negotiation curriculum tailored to Peace Operations that annually trains about seventy officers.[1]

While this elective represents progress in negotiations, it is the only formal course available in Army intermediate or senior level schools. This situation exists even though a recent survey of some four hundred officers from Major through General felt that field-grade officers, more than any other level, needed negotiation training.[2]

The United States became more involved in peace operations in the last five years than at any time in its history. Not only are the numbers of operations increasing, but the scope and potential duration are also increasing. Peace operations doctrine is beginning to catch up with demand for formal recognition in the Army's 1993 version of its doctrinal cornerstone FM 100-5, Operations,[3] and the new peace operations doctrinal manual, FM 100-23, aptly titled Peace Operations.[4]

Despite the rapid growth of peace operations doctrine, voids do exist. One expert opined that current peacekeeping doctrine is 90 percent complete and will only require periodic review and maintenance. The remaining 10 percent encompasses two areas: the conduct of negotiations in peace operations and the lack of a formal structure linking the coordination and cooperation of military forces with civilian and governmental organizations.[5] This paper focuses on tactical negotiation.

Research Questions

The major thesis question is: What skills and attributes do field-grade commanders need to conduct formal negotiations? Some would argue that none are required, that common sense should suffice and that peace operations are such a small part of a unit's potential employment that the cost is not worth the pay-off. This questions results in three other questions. If negotiation training is required, then where and when should this training occur? Who should conduct this training? And finally, how much training is required at the various rank levels and positions within these units?

MG Montgomery was not the only commander who had to learn negotiations while doing them. Colonel (COL) John Abizaid conceded that initially he was too heavy-handed as a battalion commander in his dealings with various parties in northern Iraq during Operation Provide Comfort. "We've been taught from the beginning of our careers to apply overwhelming force in military situations. Like anything else, as you do it, you get better at it. We eventually became much more subtle in our negotiations with the various factions."[6] COL Abizaid is not alone. Most officers are ignorant about negotiating and its importance.

Importance of Negotiating in Peace Operations

An example of inadequate training in negotiating is illustrated in my personal experience and resulted in a near-fatal shooting. While assigned to the United Nations Iraq-Kuwait Observer Mission (UNIKOM), I served as the senior operations officer for the mission's Northern Sector. The mission headquarters, concerned about a sharp increase in border-crossing violations, directed increased patrolling. The patrols consisted of two unarmed officers in a land cruiser. Because the Kuwaiti police were responsible for the increase in violations in the northern sector, I focused patrolling efforts on them. During a patrol, one officer exchanged harsh words with members of a Kuwaiti police sub-station after catching them committing a violation. Subsequently, after weeks of heightened tension, two police officers fired 120 rounds at a patrol car wounding two military observers--one severely. The police conducted the shooting by crossing into Iraq and firing back into their own country in an attempt to shift the blame to Iraq. The investigation revealed that this attempt was directed at the particular officer who argued with them, but this officer was not on that patrol only because of a last minute scheduling change.

Had I known then what I know now, this incident would not have happened. Careful negotiating and other de-escalating techniques could have defused the initial situation. The blame does not rest entirely with the officer; as the sector operations officer and, because of a weak sector commander and deputy, the de jure commander, I implemented the increase of pressure on these police. Further, the mission's current operations officer directed this campaign and closely monitored its progress. Certainly others knew what was going on and should have interceded. But I focused on the three principal officers--the arguing officer, the mission's current operations officer, and myself--because, in a mission involving 34 countries, all three were US Army field-grade officers.

Definitions

The key terms in this paper are peace operations, contact skills, negotiation, arbitration, mediation, and field-grade commanders. US Army doctrine delineates three types of peace operations--peace enforcement, peacekeeping, and support to diplomacy. The latter is subdivided into peacemaking, peace building, and preventive diplomacy.

Peace Operations

Excluding preventive diplomacy, which involves a range of activities to preempt conflict, the remaining operations suggest a spectrum. This spectrum ranges from peace enforcement with less restrictive rules of engagement (ROE), with impartiality, and with consent and maximum military involvement, to peace building with restrictive ROE, with high degrees of impartiality and consent and a with minimal use of military, primarily in support of civilian agencies. FM 100-23 recognizes the need to be more concerned with principles than definitions: "The definitions of these terms [support to diplomacy, peacekeeping, and peace enforcement], although precise, must be viewed in a world beset with imprecise and ambiguous situations. Therefore it is more important to understand the principles of peace operations."[7] Specific mentions in this paper of components of peace operations such as peacekeeping are intended to reflect a positioning along this spectrum rather than a precise definition. This spectrum is illustrated in figure 1.

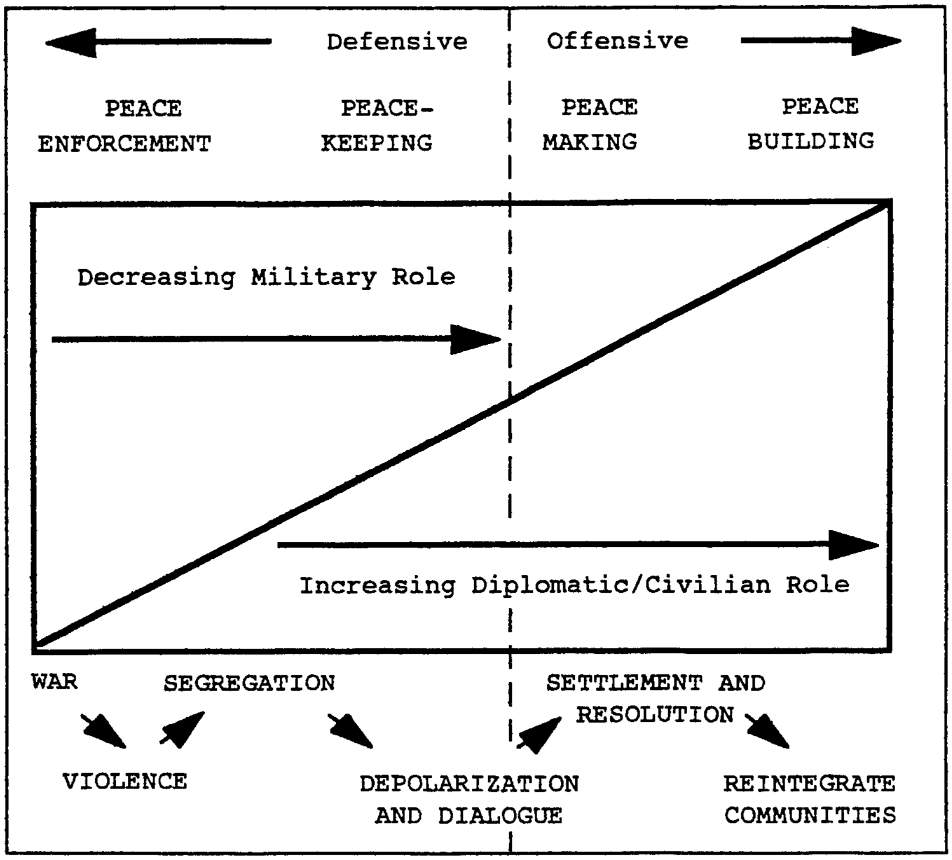
Defensive
Offensive
PEACE ENFORCEMENT
PEACE-KEEPING
PEACE MAKING
PEACE BUILDING
Decreasing Military Role
Increasing Diplomatic/Civilian Role
WAR
SEGREGATION
SETTLEMENT AND RESOLUTION
VIOLENCE
DEPOLARIZATION AND DIALOGUE
REINTEGRATE COMMUNITIES

Fig. 1. Spectrum of Peace Operations. Source: Adapted from David Last, "Theory, Doctrine, and Practice of Conflict De-escalation in Peacekeeping Operations" (MMAS Thesis, U.S. Army Command and General Staff College, 1995), 36.

The aim of peace operations is to establish a lasting peace. The strategic level conducts negotiation to establish this peace while operational and tactical operators stop the fighting, separate belligerents and de-escalate tensions to set the conditions for success at the strategic level. While the lower two levels may have to use force at times, they must understand that trying to "kill" their way to peace is counterproductive to strategic initiatives. Using negotiating techniques is one method available to operational and tactical operators to assist strategic negotiating efforts.

The characteristics of the spectrum range from war to the reintegration of communities. Peace operators must plan their campaign to ease the transition through this spectrum. Obviously, actions taken during war and wide-spread violence must be more conventional in nature, but as the spectrum moves to the right, other skills and actions are needed. One of these skills, negotiation, can help get belligerents to stop fighting, then talk and assist diplomatic efforts to ultimately reintegrate communities.

This spectrum implies an analogy of offensive and defensive actions. Just as an emergency room doctor must stabilize and stop the bleeding on an accident victim (defensive) before treating the root cause of the problem (offensive), peace operators follow the same sequence. Just as a doctor realizes that his attendance alone cannot help a patient, peace operators know that their presence will not move the spectrum to the right. Peace operators must carefully push the process, fully conscious that minor incidents can cause the process to slide back to the left. Defensive actions are those of a military nature undertaken to stabilize the situation--to stop the shooting and separate belligerents. As the purpose of peace operations is to establish a lasting peace, then all diplomatic actions to achieve this end are offensive. Two broad categories of skills used throughout the spectrum are combat and contact skills.

Contact Skills

Contact skills are communications and interpersonal relations that can de-escalate a conflict. These actions include negotiation, mediation, "go-between" mediation, arbitration, confidence-building measures (CBM) such as military-on-military exercises, which can help build trust between peace operations forces and belligerents. Peace operators must use contact skills throughout the peace operations spectrum. These skills are vital in the defensive portion to de-escalate tensions to allow strategic-level negotiators to settle the conflict. During the offensive phase, contact skills can prevent the conflict from re-emerging and help move the process towards a lasting peace.

Negotiation

Negotiation is "a conferring, discussing, or bargaining to reach agreement."[8] In peace operations, the strategic level conducts most of the political negotiations, while the purpose of the operational and tactical level is to contain the conflict. To contain the conflict, even the tactical level must sometimes negotiate to prevent escalation. The negotiation may be a simple affair, such a platoon leader trying to convince a belligerent lieutenant to move a machine gun out of a restricted area. It may be a more complex affair involving a battalion commander negotiating the withdrawal of battalion-sized elements of two belligerent armies from a neutral zone.

Regardless of the complexity of the tactical negotiation, it must be conducted with the permission of higher levels and in harmony with the purposes of higher negotiations. This structure includes rules and limits that ensure augmentation and strengthening of higher-level endeavors. A tactical negotiator must understand the limits of his authority and ensure he does not exceed given parameters. An example of a tactical commander exceeding his operational orders (although complying with his national policy and command directives) to the detriment of the higher levels was the Italian commander in UNOSOM II who negotiated his own peace with General Mohamed Farah Aidid rather than follow the force commander's United Nations (UN) New York directives. This commander, in fact, guaranteed Aidid a safe haven while US forces were looking for him.[9]

Other de-escalation options are available that can replace or better yet, augment negotiations. These options may not always be viable but should be considered as tools to apply in the process towards reestablishing peace.

Arbitration

Arbitration is "an authoritative third party [who] provides a binding judgment by considering the opposing positions and imposing a settlement."[10] Arbitration can be standard, where the arbitrator can make any decision from one extreme to the other or any compromise between, or final-offer arbitration, where the arbitrator has only two options--to select one side's position or the other. Final-offer arbitration is sometimes better, because conflicting parties are forced to submit compromise offers or risk losing everything.[11] Arbitration at the tactical level has limited potential without support from the higher levels and is difficult to establish in the early stages of a conflict. Until strategic-level negotiations progress and strategic and operational-level operators buy into the peace process, it is unlikely that these levels will accept the results of tactical-level arbitration, even if tactical-level operators agree to this process. David Last, a Canadian army major and peacekeeping expert, provides the example of tactical arbitration with a section commander parking his armored personnel carrier in the line of fire of a heavy machine gun that had been shooting at an opposing position despite a strategic-level cease-fire.[12] The danger of this course of action is that if the belligerent continues to fire this section is left with a dilemma--ignore the shooting and watch their commander being fired upon and possibly killed, or return fire and risk a major escalation of the conflict and the loss or perception of loss of neutrality. Assuming that the section commander succeeded in his high-risk arbitration, then he won a "battle" and helped stabilize the conflict, thus moved the process one step closer to resolution.

Mediation

Mediation is "the act or process of mediation; friendly or diplomatic intervention, usually by consent or invitation, for settling differences between persons, nations, etc."[13] Thus, mediation is a process to steer belligerents to arrive at a solution acceptable to the peace operator's mandate. Peace operators may have sufficient power to use "power mediation," which is similar to arbitration.[14] While the third party does not have arbitration authority, he may have incentives, both positive and negative, to offer to the belligerents. Commanders in Bosnia are actually using "power mediation" to enforce the mandate. They offer negative incentives ("Comply or we will make you." or "Follow the mandate or we will tell your commanders, who want this process.") and positive incentives ("Comply so that we can help you become separated from the other parties and thus gain a respite from the fighting."). Since the first goal in the defensive phase of peace operations is to separate the belligerents and stop the shooting, it may be difficult to establish a three-party mediation. Therefore, the most common mediation is "go-between" mediation. By acting in a "go-between" role, peace operators can de-escalate tensions by assuring belligerents that their opponents are not returning to a war footing. It is usually accomplished with third-party investigations into violations.

In UNIKOM, the Kuwaitis complained that the Iraqis moved armored vehicles into the border town of Safwan in October 1994 in direct violation of the treaty. A UN officer visited the site of the armored vehicles and discovered that an Iraqi had dragged a destroyed tank and armored personnel carrier, left over from the war, in plain view of the border. From the Kuwaiti observation post, these vehicles appeared operational. When this officer shared this information with the Kuwaitis, they stood down their reaction force and the Demilitarized Zone (DMZ) returned to normal.

Field-Grade Commander

The term "field-grade commander" is used to describe any tactical officer who has the authority to conduct formal sit-down negotiations. The lowest level this authority usually appears is at battalion and brigade commander-level. However, exceptions occur in certain situations with competent company-level commanders. In other instances, leaders operating in a remote area may be granted this authority. These leaders may include logisticians, engineers, medical support team leaders and special operating forces. In this paper the focus is on the commanders of combat units that normally perform peace operations and are positioned to conduct negotiations.

Scope

The scope of this paper does not include combat skills or multiple party negotiations; however, it is necessary to discuss these concepts to understand how negotiations fit into the peace operations spectrum.

Combat Skills

These are the actions that soldiers and units perform in peace operations that they would also perform in conventional war. These skills are needed in all portions of the spectrum and include establishing positions or fortifications, listening or observation posts, conducting patrols, mine countermeasures, deploying the quick-reaction force, movement control or security, cordon and search and force monitoring.

Soldiers need combat skills almost exclusively at the beginning of a conflict but use them throughout the peace operations spectrum. For instance, during the peace building phase soldiers still must defend themselves and the civilians in theater. Many of these civilians--nongovernmental organizations (NGOs), private volunteer organizations (PVOs), and governmental representatives--are part of the peace-building process and depend almost exclusively on peace operators for their security. As the process moves from peacekeeping to peacemaking, the peace is a fragile one. It does not take a major incident to destroy the hard-earned progress--there is no rule precluding the process from slipping back to the left side of the spectrum. Therefore, combat skills are vital throughout the spectrum but are not within the scope of this paper.

Multiple Party Negotiations

Multiple party negotiations are those involving three or more parties or four or more if the peace operator is the mediator. This type of negotiation, which MG Montgomery conducted with the Somali warlords, is not covered in this paper. These negotiations are arguably the most complex that any negotiator could face. Not only does the peace operator have to function as negotiator, mediator, or both, but needs to establish sufficient control to move the process along. A multiple party negotiation potentially involves many sessions just to establish the rules for the negotiation. It requires great skill to preclude various parties from forming coalitions that pursue their own short-term interests. These short-term interests are often at odds with the overall long-term interests of the group and of the coalitions themselves. Further, these coalitions are fragile alliances at best.[15] A multiple party belligerent excluded from a coalition stands to lose much and is motivated to make a better offer to a coalition member. This coalition member with a better offer is now motivated to defect to the new coalition. The larger the multiple party group is, the more permutations of alliances available. Adding factors of distrust between groups and possible cultural differences can rapidly make a multiple party negotiation in a peace operations environment untenable. Leaders can use the skills required for simpler scenarios as a building block for use in more complex negotiating scenarios, such as a multiple party one.

A Lack of Doctrinal Material

While the business and academic worlds have mountains of negotiating information, one limiting factor in this research is the dearth of military doctrinal negotiations material. Eleven military or UN doctrinal manuals or books contain a total of twenty pages of negotiations material. Much of this information is repeated between manuals. Further, these manuals focus on the mechanics for running the meeting and not on the actual negotiating skills and techniques nor the theory behind them.

Methodology

This paper conducts a literature review in chapter two examining the state of negotiating in UN and military doctrine, popular literature and business and academic literature. Chapter three conducts an initial analysis of skills required by position from field-grade commander through private, skills needed in various types of peace operation missions, and attributes needed to be a successful negotiator and how and where to obtain this training. A peacekeeping mission case study of UNIKOM is presented in chapter four. Chapter five uses this case study and other sources to illustrate examples while applying negotiating theory and techniques to develop a methodology for preparing for and conducting negotiations and mediations in peace operations. This chapter focuses on a two-party negotiation in which the peace operator is one of the parties and on a three-party negotiation in which the peace operator is the mediator. Finally, chapter six draws conclusions and makes recommendations.

Anticipated Outcome

Negotiation skills and training are required--the problem is to determine what skills are needed and then where and how to train these skills. Field-grade commanders need a means to gain these skills before beginning unit training for a peace operations mission.

Endnotes

[1] Jim McCallum, United States Army Peacekeeping Institute, interview by author, Carlisle Barracks, Pennsylvania, 5 March 1996; see also United Nations, "United Nations in Somalia II," Internet, http://ralph.gmu.edu/cfpa/peace/unosom.html, 7-22.

[2] Ronald J. Bath et al., Roads to New Strength: Preparing Leaders for Military Operations Other Than War, National Security Program Policy Paper 94-02 (Cambridge, MA: John F. Kennedy School of Government, Harvard University Press, 1994), 12, 44, 60.

[3] U.S. Army, FM 100-5, Field Service Regulations--Operations (Washington, DC: Department of the Army, 1993), 1-75.

[4] U.S. Army, FM 100-23, Field Service Regulations--Peace Operations (Washington, DC: Department of the Army, 1994), 13-0 to 13-8.

[5] David Last, "Conflict Management and De-escalation," (Lecture at the Command and General Staff College, March 1995).

[6] John P. Abizaid, US Army, interview by author, Washington, DC, 27 February 1996.

[7] Ibid.

[8] Webster's New World Dictionary of American English, 3d ed., s.v. "Negotiation."

[9] See Donatella Lorch, "Rifts Among Forces in Somalia Hamper U.N. Military Effort," New York Times, 16 July 1993, 1, 6; and Alan Cowell, "Italy Backs Off Threat to Quit Somalia," New York Times, 19 July 1993, 3.

[10] Ronald J. Fisher, "The Potential for Peacebuilding: Forging a Bridge from Peacekeeping to Peacemaking," Peace and Change 3, no. 2 (1993), 13.

[11] Max H. Bazerman and Margaret A. Neale, "Improving Effectiveness Under Final Offer Arbitration: The Role of Selection and Training," Journal of Applied Psychology 67 (1982): 543-48.

[12] David Last, "Theory, Doctrine, and Practice of Conflict De-escalation in Peacekeeping Operations" (MMAS Thesis, U.S. Army Command and General Staff College, 1995), 46.

[13] Webster, s.v. "Mediation."

[14] Fisher, 14.

[15] Max H. Bazerman and Margaret A. Neale, Negotiating Rationally (New York: The Free Press, 1992), 126-139.

CHAPTER 2

LITERATURE REVIEW

Three broad groups show interest in negotiations--the academic and business communities, popular writers, and UN and militaries. Many disciplines within business and academia, the first group, regularly investigate and add to the extensive literature available. These disciplines include behavioral psychology, social psychology, sociology, conflict theory, diplomacy, economics, law, mathematics, criminology, political science and business. Within the second group, several authors such as Koren and Goodman offer popular negotiating books oriented at situations most people face (buying a car and asking a boss for a raise). The UN and militaries, the third group, are becoming more interested in negotiating, but lag far behind the others in developing a negotiating methodology and practice.

This chapter examines the scarce military and UN literature on negotiating to determine what is useful and what needs expansion. Furthermore, it surveys the plethora of academic and business material and popular writings to identify the general concepts that transcend disciplines and determine what is applicable to peace operations. The first area examined is the military and UN material written for peacekeeping specifically, but useful for peace operations as a whole.

United Nations and Military Literature

United Nations Literature

The treatment of negotiations in military and UN manuals are extremely limited. One widely accepted source document, adopted by the UN, The Peacekeeper's Handbook uses only five pages of over four hundred to address negotiating. It explains that officers should be trained for a third party role but does not suggest how they should be trained or employed. It views negotiation and mediation as primarily civilian and diplomatic missions but concedes that any peacekeeper could be involved in these tasks.[1] Like most other manuals, the Handbook does emphasize such attributes as tact, diplomacy, and patience.[2]

Another UN document Training Guidelines for National or Regional Training Programmes states that training should be in the form of lectures on tact, on diplomacy, and on being fair, firm, friendly, and flexible. It does not explain how to develop negotiating skills nor how these skills should be applied. Perhaps fearing that lower levels negotiate without the guidance of upper levels, it states that, "The training for negotiation and liaison will of necessity be restricted."[3] While it delineates the three levels (strategic, operational, and tactical) in regard to liaison, it does not link tactical-level negotiations to the higher levels, although clearly these negotiations must support higher headquarters' mission and goals to achieve success.

Two other UN documents provide almost identical information--Peacekeeping Training: Training for UN Peace-keeping Operations and UNPOC I: Liaisons and Negotiations. Both provide good checklists for simple negotiations. Both emphasize principled negotiations without a clear explanation that leaves an uneducated negotiator with an incomplete understanding of the concepts. Either document should be sufficient for most company-level and below negotiation.[4]

Foreign Military Manuals

Not surprisingly, the British and Nordic countries with much more peacekeeping experience than the US present a more mature doctrine. Perhaps because of years of shared peace experiences in UN missions, they portray a similar approach to peace operations. Both offer more detailed guidance to negotiators. In both manuals Nordic UN Tactical Manual, Volume 1, and the British Wider Peacekeeping, the concept of negotiations is not only discussed extensively but is an imbedded concept included in most other topic areas in their manuals. Nordic manuals emphasize the connection between honest negotiations by peacekeepers and the success of the mission:

> Total impartiality and neutrality are essential in order to retain the trust and confidence of the parties to the dispute and of the host government. If and when a peacekeeping force is suspected of favoring one of the parties concerned, the other party will no longer trust the peacekeeping force. Once mutual trust has evaporated, the UN force will find it difficult to implement its mandate.[5]

These Nordic manuals, which the UN also uses as standard operational manuals, address a protest system that permits conflicted parties or peacekeepers to submit complaints to negotiators for adjudication.[6] This manual is unique in that it distinguishes between "agreements" (signed by the UN and opposing forces), "understandings" (written, but not signed), and "arrangements" (unwritten agreements made at lower levels).[7] These distinctions may be a system worth formalizing as a means of precluding problems experienced in UN coalitions where lower levels make deals that higher levels neither approve of nor even know about.

The Nordic Tactical Manual, Volume 1, addresses other issues. It advocates determining the positions of the belligerents and other influential parties, learning the history of the complaint, and detailed preparation before negotiations. During negotiations, it cautions to take notes, but never make promises or admissions. Finally, this manual emphasizes asking for a written copy of the belligerent's meeting records.[8]

The British manual Wider Peacekeeping offers probably the most detailed discussion of negotiating and mediation. It cites Article 33 of Chapter VI of the UN Charter as the authority for and importance of negotiation and mediation. It adequately covers the preparation, conduct, and follow-up of negotiations. In the preparation phase, it describes selecting issues on which to stand or bargain away, and making a thorough study of participants to include "cultural origin, personality, authority, influence and attitudes."[9] It emphasizes the amount of administrative burden placed on a peacekeeper hosting a meeting and the need to accept that cost. It recommends rehearsing if using a translator. Of great importance it stresses ensuring that belligerents adhere to agreements or risk undermining the credibility of the negotiation process. The UK manual also discusses the peacekeeper's often used shuttle-diplomacy role including the use of parallel undertakings, good offices and procedures for obtaining a cease-fire.[10] It provides as explicit coverage of negotiation as should be in a peacekeeping manual and provides the best starting point of any military or UN manual for developing a more intensive negotiating methodology.

American Military Manuals

US negotiating doctrine is beginning to mature, but has far to go. Most US doctrine includes negotiations as an add-on module instead of a powerful tool to win the offense--achieving a lasting peace. One author described US peacekeeping doctrine: "The idea that you can shoot your way to a settlement à la 'peacemaker' missiles and the Colt 'peacemaker' is a peculiarly American idea."[11] One exception is the "Joint Task Force Commander's Handbook for Peace Operations (Final Draft)."[12] It combines the best of Roger Fisher's principled negotiating principles, previous peace operator's experience, and cultural considerations--it looks remarkably like a recap of the US State Department's one-week negotiating course.[13] While oriented to the Joint Task Force (JTF) level, it provides excellent guidance for field-grade commanders. Of particular importance to US commanders is the section on cultural considerations. It points out that Americans use a direct, problem-solving approach, while other cultures are indirect, preferring a "people-oriented," long-term relationship. The US propensity to provide a concession with expectations of an anticipated return concession does not work in some cultures--they may view the US concession as a sign of weakness. Other differences may include those of thought process, behavior in terms of time and protocol, and negotiating styles. The negotiating section closes with the strong recommendation to get training and education in this area--but it is too late once in theater.[14]

The Application of Peace Enforcement Operations at Brigade and Battalion White Paper provides a checklist of useful ideas, most of which appeared in other sources. One unique idea is beginning the negotiation process with a junior leader to "allow political faux pas that arise from negotiations to be blamed on subordinates while the senior leader maintains credibility."[15] This concept, albeit contrary to the Infantry concept of leaders leading, has some merit. In some situations junior commanders may be able to resolve a conflict without dealing with the political considerations that tend to permeate higher level discussions. However, commanders must recognize that many cultures are very conscious of rank and non-verbal communications. Sending too junior a leader to negotiate may signal the belligerents that the negotiations are unimportant or may insult them.

Another document with a generic checklist is the Brigade and Battalion Operations Other Than War Training Support Package. It contains one statement that is not only wrong, but potentially dangerous. It states that after all parties make opening remarks, the commander should call for a break to meet with subordinates to formulate a strategy.[16] The negotiator may need to take a break to reassess his strategy, but certainly not to formulate one.

Popular Literature

Bookstores are full of popular books on negotiating literature. Jim McCallum, a negotiations instructor at the US Army Peace Institute, says of these books: "Some information is good, more of it is bad, and much of is just plain wrong."[17] Sylvia Babus, director of the US State Department Negotiation School, was more direct: "Except for [Roger] Fisher, [William] Ury, [Thomas] Colosi, and very few others, everything else written about how to negotiate is junk."[18] In general, these books tend to approach negotiating from a hard-nosed or soft approach, which limits usage to defined circumstances. They tend to focus on success, although not necessarily long term, and ignore principle. Despite the sentiments of these experts, three of these books are worthwhile.

Fred Jandt and Paul Gillette do not have any original insights in their Win-Win Negotiating: Turning Conflict Into Agreement, but accurately echoes the accepted points in higher literature.[19] Leonard Koren and Peter Goodman also published a "safe" book, The Haggler's Handbook: One Hour to Negotiating Power, that repackages academic material into a popular format.[20] Reading either would be better than nothing. Studying them in isolation denies the reader from understanding why he should do something--the theory. Another generally factual book with an interesting package is The Win/Win Negotiator authored by Ross Reck and Brian Long. They advocate establishing win/win plans, developing win/win relationships, forming win/win agreements, and performing win/win maintenance.[21] Their plan works well when dealing with like-minded partners. Without a deeper understanding than their book provides, inexperienced negotiators would have difficulty when faced with a difficult counterpart.

Academic and Business Literature

As stated earlier, the academic world of negotiating covers many disciplines. Before the sixties, each discipline pursued its investigations from a parochial point of view. Since then, negotiating has become increasingly more multidisciplinary.[22] This review focuses on the specific areas that do not transcend all interdisciplinary lines and on the major authors accepted across fields.

Debate

Debating is "an argumentative process in which affirmative and negative advocates seek a favorable decision on a formally stated position, resolution, or motion."[23] Richard Ricke and M. O. Sillars, authors of Argumentation and the Decision-Making Process, describe debating as part discussion, argumentation, and persuasion.[24] While more akin to arbitration, it is similar to negotiating in that it requires thorough preparation and study and uses persuasion and discussion. Negotiation, however, is not a contest and should not devolve into arguing--a principle component of debate. Few "win-lose" settlements last because the loser tends to fight, passively or actively, against implementing the terms of the negotiation.

Hostage Negotiation

Two New York City police officers fathered hostage negotiation in the US-- Captain Frank Bolz, Jr. and Harvey Schlossberg, a patrolman with a Ph.D. in psychology. As proof that their principles work, Bolz successfully negotiated over three hundred consecutive hostage situations without the loss of a life. Their six major principles are in Table 1 below.

Table 1.--Police Hostage Negotiating Principles

1. Secure the safe release of the hostages with minimal concessions.
2. Establish and maintain communication.
3. Reduce emotions, both between the hostage-taker and the police and the hostage-taker and the hostages.
4. Time is on the negotiator's side.
5. Beware of transference.
6. Negotiators must not be decision-makers.

Source: Adapted from Alister C. MacWillson, Hostage-Taking Terrorism (New York: St Martin's Press, 1992), 22-49; Abraham H. Miller, Terrorism and Hostage-Taking Negotiations: Westview Special Studies in National and International Terrorism (Boulder, CO: Westview, 1980), 41; and Norman Antokol and Mayer Nudell, No One A Neutral: Political Hostage-Taking in the Modern World (Medina, OH: Alpha Publications, 1990), 134.

Of these rules, the only two that may not apply to peace operations are the first and fourth principles. Belligerents that refuse to leave a restricted area or comply with a UN mandate may have time on their side. Except for operations on the left side of the spectrum, peace operators are often outmanned and outgunned, which gives the belligerents a position of power from which to negotiate. Further, peace operators normally serve for six to twelve months in a mission. A belligerent may prefer to delay negotiations until a more malleable negotiator enters the mission area. Because hostage negotiators do not have to worry about long-term compliance--the hostage taker surrendering to police is the short-term compliance--they can bargain for minimal concessions. Part of police strategy is to trade a concession for the release of some of the hostages, while peace operators must look for long-term compliance in whatever agreements are made. Therefore, they need to look beyond simple trade-offs to get to the underlying interests of the parties. Another difference is that a peace operator is a disinterested party while a hostage negotiator is very much an interested party. The former will accept any viable solution within his authority whereas the latter is pursuing a specific goal--the hostage taker's surrender.

During emotional situations communications are necessary at any level. One expert chastised the US' propensity to break off diplomatic relationships with problematic nations at a time when communications are most needed.[25] Just as police know that they can only establish rapport and develop the trust by keeping the hostage taker talking, other negotiators should realize that communications are essential to resolving the conflict. Communications are especially important in peace operations where the level of trust is low and any number of cultural or historical reasons make negotiations difficult.

Reducing emotions is a prerequisite to beginning negotiations--a rule repeated in almost every serious and popular negotiating book. Studies of hostage situations show that hostages who survive the first fifteen minutes stand a good chance of surviving the situation. In situations resulting in hostage deaths, uncontrolled emotions was one of the contributing factors or the sole factor.[26]

Transference is also known as the Stockholm Syndrome. One of the classic cases of this syndrome was recorded by Richard Brockman, a psychiatric resident and a hostage on Trans World Airline flight 355. After the Croatian terrorists surrendered, the pilot came on the intercom and said:

> This is the Captain speaking. We have all been through an incredible experience but it is over for us. No one is hurt, but it is not over for our hijackers. Their ordeal is just beginning. They have a cause. They are brave, committed people, idealistic, dedicated people; like the people who helped to shape our country. They are trying to do the same for theirs--I think we should give them a hand.[27]

Transference not only occurs between hostages and hostage-takers, but also between hostage-takers and hostage negotiators. This transference between negotiator and hostage-taker is especially dangerous and often difficult to detect. Former Secretary of Defense Cheney stated that Southern Command commander General Woerner was a victim of transference, by opining that Woerner had "gone native."[28] Because General Woerner was deemed to be too close to the Panama problem and was not executing American policy, he was replaced. While negotiators must build a relationship with their negotiating counterparts, they must not get too close.

Another broadly accepted negotiating principle is that negotiators should not be decision makers. By giving a negotiator such power, the commander is actually jeopardizing the negotiations. While the negotiator must be of sufficient status to have the respect of the belligerents, he should not be put in a position where the other party can force him to make a decision. As one expert phrased it, "Negotiators never command and commanders never negotiate."[29] What this means to a commander negotiating in a peace operations mission is that he must establish early in the process that he can only recommend and that his commander is the decision maker.

Conflict Theory

Negotiation would not be necessary without conflict. Therefore, an overview of conflict theory may be useful. James Schellenberg describes the three main perspectives from which social scientists approach conflict theory. They are biological (species struggle to survive, and this spills over to competition and aggressive behavior), social psychological (individuals have interests that are not always in accord with others', which causes conflict), and sociological (the product of human groups struggling for position within the overall framework of society).[30] All are accepted today by their respective fields and enjoy healthy debate.

Game Theory

Much of the literature in business and academic worlds on negotiating involves a branch of mathematics called game theory. Game theory studies strategic decision making in situations from brinkmanship to incentives and bargaining. It determines a method for individuals and groups to select their best response to a situation regardless of what their opponent or opponents may select.[31] An underlying assumption is that theorists can identify all the variables (states of nature) and options available to all parties and predict with close to certainty how all interact. A working knowledge of game theory is necessary to understand a large portion of this literature.

The most widely known example of game theory is the prisoner's dilemma, which some compare to the dynamics of bilateral relations. In this model, two individuals are arrested and jailed separately. Both are given the chance to give evidence on the other. If neither betrays the other, both will receive a one-year sentence. If both inform on each other, both will receive ten year sentences. If one informs and the other does not, the betrayer goes free while the loyal partner receives a twenty-year sentence. Collectively, both are better off being quiet (cooperate). But individually, both are better off informing (defect) regardless of the option chosen by the other.[32] From the prisoner's dilemma model came tit for tat, a strategy to overcome the dilemma in interactive games. In computer tournaments, this strategy--cooperate on the first move, then mirror the opponent's move through the rest of the game--has never been beaten.

While tit for tat is acceptable for computer games, this concept should not apply to negotiations. Because your negotiating partner acts in a manner that harms his position is no reason for you to do so also. As one expert stated, "two heads are better than one, but one is better than none."[33]

Prenegotiation

The concept of prenegotiation began over two decades ago in academic circles but is just making inroads among peacekeeping practitioners. Joseph Montville, a conflict theorist, coined the term "track II diplomacy" to describe informal, unofficial actions taken by adversarial groups to develop strategies to resolve their conflict. Some track II diplomatic actions include influencing public opinion and organizing labor and material aimed at conflict resolution.[34] Another technique is problem-solving workshops. John Burton, a peace theorist and prolific author, conceived this technique as unique method for bringing parties in conflict together unofficially to focus on the underlying causes of the conflict rather than the specific issues of the conflict.[35] The purpose of prenegotiation is to establish the conditions necessary to begin negotiations and ultimately make peace.

Ron Fisher, a professor of psychology and research fellow at the Canadian Institute for International Peace and Security, expanded on the work of Burton, Montville, and others to devise a model for a third party consultant whose role is to motivate the conflicting parties to solve problems and to improve communications. The consultant's role differs from that of a mediator, who attempts to facilitate a negotiated settlement on specific issues, and operates in an often competitive, win-lose power struggle to exact concessions. Consultation aims at de-escalation through improved relationships and cooperation. Consultation and mediation work together, with the former more necessary in early stages and the later required for a formal settlement.[36]

Cultural Perspective

Cultural perspective plays a major role in how negotiators approach negotiations. Paul Kimmel, a student of cultural interactions, argues that Americans are often viewed by other cultures as "brusque, insensitive, and even arrogant"[37] and as such make poor negotiators with other cultures. To overcome this perception he recommends that:

> American negotiators consciously identify the major cultural assumptions and values affecting their own perceptions and behaviors on the negotiations; communicate these assumptions and values clearly as an explicit part of their negotiations; encourage and help other negotiators identify and communicate clearly their major cultural assumptions and values; and then move toward creative and collaborative problem solving.[38]

Stewart and Bennett, writers on American cultural patterns, identified eight major values Americans follow in negotiations. These values may conflict with other cultures and require awareness by American negotiators.

1. Time is a precious commodity.
2. Specialization is desirable in work and social relationships.
3. Individuals control their own destinies.

4. There are few absolute truths, what works is good.
5. Conflicts should be resolved through democratic processes.
6. Everyone should have an equal opportunity to develop their abilities.
7. Authority is resisted, independence is valued.
8. One must compete with others to get ahead.[39]

The first, that time is a precious commodity, prescribes a more impersonal approach to negotiating. This approach conflicts with the value that other cultures place on interpersonal relationships, and long-term negotiations. The North Vietnamese, for example, disrupted US negotiators when, at the end of the Vietnam War, they went to Paris and signed a two year lease on a house.[40] Other cultures do not necessarily value democracy, independence or other American values. Negotiators need to be sensitive to specific cultural values and modify their behavior appropriately.

The Major Authors

The most widely accepted negotiating philosophy comes from the Harvard Negotiating Project, one of the first multidisciplinary efforts in the field. Roger Fisher and William Ury, the Project's major architects, provide guidelines for negotiators to consider. First is to identify the interests involved, the negotiator's and the other party's. Interests are the underlying desires, as opposed to positions, the stated interest. Second is to develop mutually beneficial options which ideally should include joint brainstorming. Their third point is to develop alternatives, which they term a best alternative to no agreement or BATNA--the point in which one should break off negotiations and pursue another course of action. Ideally a negotiator's BATNA should be powerful enough to cause the other party to back away from a stated position. If the other party refuses to compromise, this BATNA should be developed fully enough to immediately pursue. For example, a worker may threaten to quit (his BATNA) if he does not get a raise. To strengthen his BATNA, he should have a serious job offer lined up before making this ultimatum. If unsuccessful in his bid for a raise, he has the economic freedom to quit that day. Of note, virtually every author following Fisher, serious or popular, uses the concept of BATNA. Fourth is to insist on legitimacy, an objective standard with which to conduct negotiations and measure fairness. This legitimacy may be a point of law, an outside recognized expert, or simply a flip of a coin. Fifth, communications are crucial to negotiations. This includes two-way communications and active listening. The sixth point is the relationship; separate relationship and substantive issues, but also take unconditionally constructive steps to improve the relationship. Their last point is the commitment; negotiators must clearly articulate the issues on which they need resolution and planning a process to get a commitment.[41]

Fisher believes that negotiations should follow three rules. They should produce agreements that serve the interests of both parties; they should be efficient; and they should improve, or at least not damage the relationship.[42] Achieving this requires negotiators to be unconditionally constructive.[43]

Thomas Colosi, a professional negotiator with thirty-five years' of experience and Vice President of the American Arbitration Association, also favors strong relationships, communications, and trust. He further believes that the first rule of negotiations is that there are no rules, except as established by the negotiators. Communications lead to discovery that can lead to mutually beneficial pay-offs for all parties. In negotiations there are no facts, only assumptions. If one party refuses to accept a scientific fact, then it is not a fact. Conversely, a party advancing a fact, even if erroneous, that is not challenged, establishes a valid assumption upon which agreements may arise. Therefore, negotiators should create doubts and uncertainties in their negotiating partners' minds to pave the way for a change in behavior resulting in a favorable agreement. By creating these doubts, one can use their counterparts to convince their own constituencies that their position should be changed. Underlying these steps is the need to build trust. Without trust, which is based on a solid relationship, none of these steps is possible, and therefore, reaching a satisfactory agreement is difficult.

The last major authors are Bazerman and Neale. They discuss common negotiating mistakes (covered in chapter five) and provide rules for negotiating bilaterally, multilaterally, and through mediators, arbitrators and agents. Their focus is mainly on bilateral negotiations, for which they provide the following twelve rules:[44]

1. Build trust and share information.
2. Ask lots of questions.
3. Give away some information.
4. Make multiple offers simultaneously.
5. Search for post-settlement settlements.
6. Use differences of expectations to create mutually beneficial perceived trade-offs.
7. Use differences in risk-preferences to create mutually beneficial perceived trade-offs.
8. Use different time preferences to create mutually beneficial trade-offs.
9. Consider adding issues to the negotiation to increase the potential for making mutually beneficial trade-offs.
10. Consider whether there is some way to reduce the costs to the other party of allowing you to get what you want, and vice versa.
11. Consider whether there is some way to reduce or eliminate the scarcity of the resource that is creating the conflict between the two parties.
12. Search for novel solutions that do not meet either party's stated position, but do meet their underlying interests.[45]

These major authors espouse several mutual principles. All believe in building a relationship with a negotiating partner that helps to foster trust, preparing thoroughly, developing integrative solutions, mutual brainstorming and creative thinking, and approaching negotiations as an opportunity to solve problems for both parties. All view these principles as equally applicable to international treaty negotiations as interpersonal issues. Peace operators should consider these principles a starting point for any negotiation.

Chapter two has surveyed the state of negotiating in three broad groups: militaries and UN; popular literature; and business and academia. Military and UN doctrine, while solid in most areas of peace operations, provides little guidance for conducting negotiations, nor the theory behind the "how" of negotiating. Popular literature generally provides a good review for those with at least a previous theoretical negotiating background, but is insufficient as a first source and so should be disregarded by negotiating students. The best of business and academic sources provide everything--the mechanics of preparing and conducting a negotiation, a strong theory behind the "how," and what Americans need to be aware of when negotiating with other cultures. The problem then is how to integrate a negotiating theory and format taken from business and academia into current US peace operations doctrine, which is the topic of chapter five.

Before resolving this problem, it is necessary to examine the depth of skills required at various positions within a peace operations force by type of mission. Further, it is useful to compare the attributes of professional negotiators to those of field-grade commanders. Chapter three examines these issues and sets the stage for chapter four.

Endnotes

[1] International Peace Academy, Peacekeeper's Handbook, (New York: IPA and Pergamon Press, 1984), 117.

[2] Peacekeeper's Handbook, 382-3.

[3] United Nations, Training Guidelines for National or Regional Training Programmes, (New York: United Nations, 91-02208), 50.

[4] See Peace-keeping Training: Training for UN Peace-keeping Operations (New York: UN Department of Peace-Keeping Operations Training), 6-1 to 6-13; and Ulf Jershed, UNPOC I: Liaisons and Negotiations (New York: United Nations), 1-7.

[5] Johan Hederstedt, Jorn Hee, Nils W. Orum, Simo Saari, and Olli Viljaranta, Nordic UN Tactical Manual, vol. 1 (Jyvaskyla, Finland: Gummerus Kirjapaino Oy, 1992), 27.

[6] Ibid., 66.

[7] Ibid., 69.

[8] Ibid., 70-72.

[9] United Kingdom Ministry of Defence, The Army Field Manual, Volume V, Operations Other Than War, Part II: Wider Peacekeeping (London: Her Majesty's Stationary Office, 1994), 5-3.

[10] Ibid., 5-0 to 5-6, 7-8 to 7-12.

[11] David M. Last, "Theory, Doctrine, and Practice of Conflict De-escalation in Peacekeeping Operations" (MMAS Thesis, U.S. Army Command and General Staff College, 1995), 62.

[12] Joint Warfighting Center, Joint Task Force Commander's Handbook for Peace Operations (Final Draft) (Washington, DC: Joint Warfighting Center).

[13] Sylvia Babus, Director of US State Department Negotiating School, interview by author, Washington, 1 March 1996; Syllabus for the US Department of State course, The Art and Skill of Negotiating.

[14] JTF Handbook, 49-55.

[15] The Application of Peace Enforcement Operations at Brigade and Battalion White Paper (Fort Benning, GA: The US Army Infantry School, 1994), 27.

[16] Training Circular 7-98-1, Brigade and Battalion Operations Other Than War Training Support Package (Final Draft) (Fort Benning, GA: US Army Infantry School, 1995), 2-357 to 2-358.

[17] Jim McCallum, US Army Peacekeeping Institute, interview by author, Carlisle Barracks, Pennsylvania, 5 March 1996.

[18] Babus, 1 March 1996.

[19] Fred E. Jandt and Paul Gillette, Win-Win Negotiating: Turning Conflict Into Agreement (New York: John Wiley and Sons, 1985), 6-23.

[20] Leonard Koren and Peter Goodman, The Haggler's Handbook: One Hour to Negotiating Power (New York: Norton, 1991).

[21] Ross R. Reck and Brian G. Long, The Win/Win Negotiator (New York: Simon and Schuster, 1987), 4-33.

[22] Babus, 1 March 1996.

[23] Encyclopedia Americana, International Edition, 8th ed., (1978), s.v. "Debates and Debating."

[24] Richard D. Ricke and M. O. Sillars, Argumentation and the Decision-Making Process, 2d ed. (Glenview, IL: Scott, Foreman, 1984), 6-11.

[25] Roger Fisher and Scott Brown, Getting Together: Building a Relationship That Gets to Yes (Boston: Houghton Mifflin, 1988), 202.

[26] Alistar C. MacWillson, Hostage-Taking Terrorism (New York: St Martin's Press, 1992), 22.

[27] New York Times, 13 September 1976, B-3.

[28] See Bob Woodward, The Commanders (New York: Simon and Schuster, 1991), 62; and Thomas Donnelly, Margaret Roth, and Caleb Baker, Operation Just Cause: The Storming of Panama (New York: MacMillan Press, 1992), 51.

[29] Norman Antokol and Mayer Nudell, No One A Neutral: Political Hostage-Taking in the Modern World (Medina, OH: Alpha Publications, 1990), 134.

[30] James A. Schellenberg, The Science of Conflict (New York: Oxford University Press, 1982), 19-76.

[31] Avinash Dixit and Barry Nalebuff, Thinking Strategically - The Competitive Edge in Business, Politics, and Everyday Life (New York: W. W. Norton, 1991), 2-3. This book is readable and humorous, and, more importantly, written for the nonmathematicians.

[32] See Ibid., 12-15; and Howard Raiffa, The Art and Science of Negotiation (Cambridge, MA: Harvard University Press: 1982), 123-126.

[33] Roger Fisher and Scott Brown, Getting Together: Building a Relationship That Gets to Yes (Boston: Houghton Mifflin, 1988), 197-202.

[34] Joseph Montville and William Davidson, "Foreign Policy According to Freud," Foreign Policy, no. 45 (Winter 1981-82), 145-57.

[35] John Burton, Conflict and Communication: The Use of Controlled Communication in International Relations (London: MacMillan Press, 1969), 12-21.

[36] See Ronald Fisher, "Prenegotiation Problem-solving Discussions," International Journal XLIV (Spring, 1989), 443-74; and Ronald Fisher and Loraleigh Kearshly, "Third-Party Interventions in Intergroup Conflict: Consultation is not Mediation," Mediation Journal 4 (October 1988): 381-93.

[37] Paul Kimmel, "Cultural Perspectives on International Negotiations," Journal of Social Issues 50, no. 1, (1994): 185.

[38] Ibid., 188.

[39] E. Stewart, American Cultural Patterns: A Cross-cultural Perspective (Yarmouth, ME: Intercultural Press, 1972), 2-23.

[40] Raiffa, 16.

[41] See Roger Fisher, William Ury, and Bruce Patton, Getting to Yes - Negotiating Agreement Without Giving In, 2d ed., (New York: Penguin, 1991), 15-94; Roger Fisher and Scott Brown, Getting Together, 43-148; Roger Fisher and Danny Ertel, Getting Ready to Negotiate: The Getting to Yes Workbook A Step-by-Step Guide to Preparing for Any Negotiation (New York: Penguin Books, 1995), 21-106; Roger Fisher, Elizabeth Kopelman, and Andrea Kupfer, Beyond Machiavelli (New York: Penguin Books, 1994), 23-49; and William Ury, Getting Past No: Negotiating Your Way From Confrontation to Cooperation (New York: Bantam Books, 1993), 31-158.

[42] Fisher, Getting to Yes, 4.

[43] Fisher, Getting Together, 16-26.

[44] Thomas R. Colosi, On and Off the Record: Colosi on Negotiation (Dubuque, Iowa: Kendall/Hunt, 1993), 8-10.

[45] Max H. Bazerman and Margaret A. Neale, Negotiating Rationally (New York: Free Press, 1992), 89-101.

CHAPTER 3

INITIAL ANALYSIS

Chapter two examined the current theory and writings on negotiation. This chapter analyzes questions about the need for negotiating skills within the Peace Operations spectrum. What skills and attributes are required? Do certain types of missions present more need for negotiating than others? Certainly not every soldier in a peace operations mission needs all this knowledge, but who really needs this knowledge and under what circumstances? How do commanders obtain this knowledge? Chapter three examines these questions and searches for their resolution.

What Skills are Needed?

Ideally, negotiators should have more than the theoretical skills identified in chapter two. They should have some practical experience before attempting to negotiate in peace operations. One does not become an expert golfer by reading about golf. Reading about golf may provide a basis for more quickly learning how to golf, but only practice develops expertise. Developing negotiation skills is no different than learning how to play golf. While few can afford the countless hours of practice required to become a professional golfer, the cost to become an adequate hobby golfer is much less--a few lessons can provide the framework to enjoy an occasional round and improve. Many experts believe that negotiating is similar, that three to five full days of negotiation practice are sufficient to internalize the theoretical knowledge enough to be an effective negotiator.[1] Certainly, this three to five days cannot make one a professional negotiator but can provide the tools to negotiate and steepen the learning curve.

Negotiating Attributes

In addition to negotiating skills, both theoretical and practical, successful negotiators possess other skills. Field-grade commanders, as a group, have many of the attributes these negotiators prize. Chester Karrass, a negotiating practitioner, ranked thirty-four characteristics a surveyed group of professional negotiators felt contributed to their success.[2] Twenty-three of these are skills the US Army also prizes and nurtures in its officer corps. Of note, Army attributes rank predominantly at the top of the negotiator's list.[3] Eight are neutral or do not directly apply to the Army, while three are negative attributes. A comparison of negotiating attributes compared to those of a professional Army officer are listed in table 2.

While most of the positive attributes are self-evident, three may not be so obvious. The first, insight into other's feelings, is simply the ability to read other people. The US Army, as a people business, teaches its leaders this skill early. Successful leaders and negotiators must be able to read the people they interact with to determine their reliability under varying circumstances.

Most officers have more previous negotiating experience, the second positive attribute, than they think. Because negotiation is simply a discussion to reach an agreement, every officer who has had to win a consensus as a staff officer to advance a course of action or gain a bigger share of a command operating budget (COB) has negotiated. Every officer who stood in front of his commander's desk trying to explain why he should not be in trouble for some transgression was negotiating. Although most officers have not had any formal negotiating

Table 2.--Negotiating Attributes Compared To Army Attributes

Negotiating Skills (Below) Compared to Army Attributes (Right)	POS	NEU	NEG
Preparation and planning skill.	X		
Knowledge of subject matter being negotiated.	X		
Ability to think clearly and rapidly under pressure and uncertainty.	X		
Ability to express thought verbally.	X		
Listening skills		X	
Judgment and general intelligence.	X		
Integrity.	X		
Ability to persuade others.	X		
Patience.			X
Decisiveness.	X		
Ability to win respect and confidence of opponent.	X		
General problem-solving and analytic skills.	X		
Self-control, especially of emotions and their visibility.			X
Insight into other's feelings.	X		
Persistence and determination.	X		
Ability to perceive and exploit available power to achieve objective.	X		
Insight into hidden needs and reactions of own and opponent's organization.	X		
Ability to lead and control members of own team or group.	X		
Previous negotiating experience.	X		
Personal sense of security.		X	
Open-mindedness (tolerance of other viewpoints).	X		
Competitiveness (desire to compete and win).	X		
Skill in communicating and coordinating various objectives within own organization.	X		
Debating ability (skill in parrying questions and answers across the table).	X		
Willingness to risk being disliked.	X		
Ability to act out skillfully a variety of negotiating roles and postures.	X		
Status or rank in organization.		X	
Tolerance to ambiguity and uncertainty.		X	
Skill in communicating by signs, gestures, and silence (nonverbal language).		X	
Compromising temperament.			X
Good personality/sense of humor (degree to which people enjoy being with the person).		X	
Trusting temperament.		X	
Willingness to take somewhat above-average business or career risks.		X	
Willingness to employ force, threat, or bluff to avoid being exploited.	X		

Source: Based on a survey of 98 Command and General Staff College students, taken by the author, Fort Leavenworth, Kansas, 20-26 March 1996; and Chester L. Karrass, "A Study of the Relationship of Negotiator Skill and Power as Determinants of Negotiating Outcome" (Ph.D. diss., University of Southern California, 1968), adapted by John Hammond, and as quoted by Howard Raiffa, The Art and Science of Negotiation (Cambridge, MA: Harvard University Press, 1982), 120-121.

experience, they negotiate several times daily. Further, the amount and complexity of negotiations increases with rank and responsibility.

A third attribute most officers would not think they possess is the ability to act out skillfully a variety of negotiating roles and postures. Simply translated into Army terms, this is situational leadership. Leaders use a different leadership style depending on the situation, and often different leadership styles within the same situation depending on the people or units with whom they are interacting.

The last attribute negotiators list is the willingness to employ force, threat, or bluff to avoid being exploited. This attribute would be much higher on an Army officer's list. Peace operations on the left end of the spectrum may require the use or threat of using a BATNA, which frequently is force. The use of force, however, should be the last option considered. As peace operators push the spectrum further to the right, the ability to use force is less of an option. As peacekeepers are usually out-gunned, negotiators must look for options other than force.

Of importance are the three negotiating attributes which the Army does not value. The first, patience, is not so prized as mission accomplishment. The US Army values the leader who pushes his subordinates to achieve the mission--patience is often looked upon as a sign of weakness. Peace operations in general and negotiating specifically require patience. Resolving long-term problems does not happen overnight.

The second, self-control, is similar to patience in that it is also not so highly regarded. But self-control connotes control of display of emotions. A successful negotiator must also be a good actor. He cannot display emotions, particularly negative ones, unless they are a staged display. As Colosi said, a negotiator must never display anger unless he knows with absolute accuracy what his negotiating partner's reaction will be and that that reaction is precisely what the negotiator desires.[4]

The third, compromising temperament, conflicts with the Army attributes of decisiveness and competitiveness. While staff officers must sometimes compromise to reach agreements, this trait is not valued in commanders. Commanders are rewarded for aggressiveness and independence, not compromise. A compromising temperament is required to establish an environment amenable to problem solving and reaching mutually beneficial agreements.

Skills Needed Along the Spectrum

Not all field grade commanders deployed to a peace operations mission will have enough time to develop practical as well as theoretical negotiating skills and perhaps not all will need these skills. Negotiation requirements in peace enforcement operations in general are less than those to the right of the spectrum for three reasons--relative military advantage, the need to use or at least threaten use of this power, and time.

First, because peace enforcers have a relative military advantage compared to other spectrum missions and possibly, vis-à-vis the belligerents, they have reduced requirement to negotiate. In these operations, the negotiations may consist more of "comply or else." US commanders in Implementation Force (IFOR) Bosnia use the negotiating platform, the Joint Military Commission, as a format to explain to the belligerents what they must do, when it must be done, and at times, how. While not as yet using force, one commander shows his BATNA by flying attack helicopters over his meetings at critical prearranged times to display power.[5] While negotiating is preferable to coercion is any peace operation, the ability and temptation to use force is more readily available in enforcement missions.

Concurrent with the ability to be heavy-handed, is the need to be so. Peace Enforcement implies that belligerents are fighting or are enforcing an international agreement. With high emotions and distrust, peace enforcers may have need to physically compel conflicting parties to separate and remain apart. US doctrine also distinguishes that peace enforcers do not require a high degree of consent, which may signify that belligerents do not welcome the peace enforcers.[6] This lack of welcome may involve open combat.

Time may also be a factor in the degree of negotiation skills required. Peace Enforcement commanders in Bosnia, as an example, were forced to be more heavy-handed than most peacekeepers would attempt to be. The fact that these commanders have the military force to be blunt is a consideration, but the driving reason for their approach was the time constraints imposed by the Dayton Accord. While the strategic-level parties agreed to the terms of the Accord, tactical-level belligerents were reluctant to fully comply.

Right-spectrum operations, in contrast to Peace Enforcement, require more finesse in dealing with the conflicted parties as shown in figure one. These operations usually do not have the force to compel compliance. They have a higher degree of consent which should mean less need for force. And finally, operations to the right are time consuming, as the intent is to establish a lasting peace, often for a deep-rooted conflict.

Negotiating Skills Required in Peacekeeping

The type and age of a peacekeeping mission may dictate the type of skills required. Peacekeepers normally deploy with insufficient power to force belligerents to comply and so must negotiate to obtain desired ends. Peacekeeping operations are of two broad types--the old "holding" missions which seek to maintain the status quo, and the newer peacekeeping missions that view the spectrum as a process to achieve lasting peace. Within the "holding" missions are the traditional missions and military observer missions.

The type of mission does not necessarily dictate the negotiating skills required, but certain generalities may apply. The military observer missions, such as UNIKOM, have virtually no military advantage to bring to bear on recalcitrant belligerents. Intuitively, these missions must depend more heavily on negotiations at the tactical and operational levels. Holding missions would seem to require less negotiating than the new peacekeeping missions because the former are less ambitious in scope.

Regardless of the type of peacekeeping mission, the coercive power these peacekeepers have is a result of strategic "carrot" and "stick" initiatives, desire of the belligerent parties to cooperate, and the negotiating expertise of the peacekeepers. In UNIKOM, military observer negotiations were the only means of settling disputes. Strategic "carrots" and "sticks" were absent except for UN/US initiatives to prevent Iraq from re-invading Kuwait. The day-to-day violations resulted in little more than the UN writing letters to the national authorities. The national authorities had neither the desire nor incentive to cooperate with peacekeepers. Only negotiations resulted in any changed behavior. During my year in UNIKOM, I only saw one effective negotiator. This officer was effective with the Kuwaitis because he had enough rank (lieutenant colonel) to be treated seriously, but more importantly because he took the time to establish personal relationships with some of the influential people in the Ministry of Defense. He achieved more progress on the redress of complaints in one meeting than the remainder of the mission, to include the force commander (a lieutenant general) accomplished in a year.

The age of the mission may also impact on the negotiating skills required. As a rule, a newer mission should have more ambiguity and less stability than an older mission. The initial actions peacekeepers need to take to separate forces and stop the shooting requires a much higher knowledge and application of negotiating skills and other de-escalating techniques than a more established mission with stable lines and some established rules. The UN mission in Cyprus (UNFICYP), established in 1964, shows that older missions have a great need for negotiation skills. Yet this mission requires constant UN actions, both proactive (to prevent) and reactive (to respond to) violations, and maintain the status quo. The length of existence of this mission belies the generalization that older missions require fewer negotiating skills.

Negotiation Requirements Based on Position

Field grade commanders should have as many theoretical and practical tools as possible. These tools enable the commander to train his leaders before deploying, and to conduct and oversee negotiations in theater. The Joint Task Force Commander's Handbook for Peace Operations argues that "Negotiation and mediation training is essential for military officers in peace operations . . . [and] once deployed you may not have the means or time to provide a suitable training program."[7]

While some experts believe that peace operations skills are easy to train,[8] training leaders for negotiations during a peace operations train-up period can be difficult. Peace operations training involves unique skills that require a commander's attention. Training a unit to conduct a battalion attack or company raid is easier. Commanders have a multitude of sources to reference in planning this training including, most probably, unit files on similar missions. In addition to doctrinal sources and unit historical knowledge, subordinate units usually have the skills to perform their portion of larger unit missions. So conventional training for battalion or brigade missions often means validating subordinate units' ability to accomplish their segment and orchestrating the synchronization of the pieces into a whole. Because units training for peace operations do not have the same amount of doctrinal material nor the degree of historical knowledge, commanders must become more involved in the planning and execution of training. The cost of removing a field-grade commander from three to five days in the middle of a peace operations train-up for his own negotiation training is steep. Further, the negotiation training this commander receives may alter his approach to training his unit. Therefore, commanders should ideally receive negotiation training before the peace operations train-up begins, or at least early into the training cycle.

Company-level commanders also require some negotiation training. Some experts foresee circumstances under which these commanders may have to conduct formal negotiations on complex issues.[9] These circumstances should be infrequent in that these commanders are usually close to their parent headquarters. Because of the geographic proximity and the potential importance of a complex negotiation, their battalion commander should handle these negotiations on their behalf. However, company-level commanders should be trained to handle simpler negotiations, which tend to be a more frequent occurrence. At this level, training on the use of a checklist of negotiation considerations such as those outlined in Peace-keeping Training: Training for UN Peace-keeping Operations or the Brigade and Battalion Operations Other Than War Training Support Package should be sufficient.[10] Company-level commanders will probably spend more time on other de-escalation techniques such as investigations and 'go-between' mediation. While these commanders need as many negotiating tools as possible, their initial training priority should be oriented to these other techniques.

Platoon leaders need at least some rudimentary training in negotiation. Their training focus should be primarily on de-escalation techniques oriented on leading and training their platoons in situational training exercises involving ROE decisions. To achieve this focus, negotiation training should entail personal relationship training and body language. Platoon leaders will very rarely be involved in formal sit-down negotiations. More often, they will interact with their belligerent counterparts at checkpoints during routine checks or investigations.

The recent increase of US forces in peace operations involvement has convinced at least two general officers that Sergeants need negotiation training.[11] This training needs to be oriented to situational training such those outlined in the convoy, patrolling, and checkpoints sections of the UN's Peace-keeping Training: Training Guidelines and Exercises or various Center for Army Lessons Learned publications,[12] and interpersonal skills. A Sergeant in Bosnia used interpersonal skills to convince a faction commander to release him from captivity after being held hostage for several hours.[13]

Privates do not need negotiation training. What they need is a thorough understanding of the ROE, the framework of the mission they are in and discipline. A possible consideration for inclusion in their situational training is an understanding of body language. A soldier guarding a bridge most probably cannot communicate, let alone negotiate with a belligerent counterpart guarding the other side of that bridge. Use of body language to build rapport may entail slinging his rifle to display a nonhostile intent, while waving as he moves forward to shake hands. One military observer, a nonsmoker, always carried cigarettes when on patrol. He learned that, in a region of the world where the majority of adult males smoked, offering a cigarette was the quickest way to break the ice and initiate a relationship.

Where and How to Obtain Negotiations Experience

Ideally leaders and units will have all the necessary negotiating tools needed at their various levels of responsibility before deploying. The Army leadership realizes the importance of this train-up period of transition between a warfighting mentality and a peace operations perspective, and attempts to provide deploying units six to eight weeks to train. Unfortunately, much of this train-up is dictated training and allows little time for unit-initiated training. The First Armored Division went through a hectic six month train-up before deploying to Bosnia. Only about three weeks of this were open for battalion commanders to plan and conduct their own training.[14]

A result of the hectic pace of a pre-Peace Operations deployment training phase is the lack of time and priorities. Field grade commanders in the 1st Armored Division received a one hour negotiation class during their six month preparation. The division conducted this training between 7:00 and 8:00 P.M. after a full day of training.[15] The division did supplement this class with negotiation training at the Combat Maneuver Training Center but this training did little to prepare field grade commanders for their negotiation responsibilities in Bosnia.[16]

Learning how to negotiate before deploying is a major challenge for field grade commanders. Barring changes to the importance placed on negotiation training, future field grade commanders cannot count on this pre-deployment training to allow them to learn how to negotiate. Training time is an especially scarce commodity, particularly in the last few years of build-down and increased operations tempo. No rational commander would spend this scant resource on negotiation training unless convinced that a peace operations deployment was impending.

One potential solution is to send an officer on temporary duty to a one week negotiating course and use this officer as a unit trainer. The advantage is that this trainer is readily available to conduct opportunity training and run a series of officer development classes. By using an internal asset, commanders can schedule negotiation training around other, higher priority training. There are two disadvantages to this solution. The first is that officers have a much shorter tour within a division than in previous years. This would require the unit to send officers more frequently. The second disadvantage is that negotiation courses are expensive, usually ranging between $3,000 and $5,000 per student. The US State Department course is probably a better alternative as it is much cheaper (at this writing, $500) and offers an exposure to cultural considerations which peace operators need.

A second possible solution is to request a representative from the US Peacekeeping Institute come to the unit to train the officers. The advantage is that officers can receive the training at one time from an expert negotiator. Further, Institute instructors can tailor this training from a three to a five day block of instruction. This block of time is what experts consider sufficient to internalize the concepts of negotiations. The obvious disadvantage is that there is a major price to pay in removing the senior leaders from an organization for up to a week.

A third solution is reading to develop a thorough theoretical knowledge and consciously developing means of applying this learning in daily life. Because senior leaders conduct many negotiations--with higher headquarters staff officers, their commanders, and adjacent commanders--applying the theories can help evolve the theory to a more practical knowledge.

The Army War College offers an elective in negotiations and annually trains some seventy officers. This elective, while not a short-term solution, provides future brigade commanders with the theoretical and practical knowledge to train their units and to conduct and supervise negotiations once deployed.

The long-term solution is to incorporate negotiation training into the officer and noncommissioned officer education systems. Because of the relative unimportance of negotiation in the overall leadership education scheme, it is unlikely to earn a position in the school system. Further, school lengths are fixed and therefore any changes involve distributive reorganization. An addition of any curriculum results in the loss in another area. Because school divisions already fight over allocations of class time, negotiation is a dubious choice to attempt to incorporate.

This chapter examined the skills required for negotiation, the types of missions most likely to require more negotiating skill, the degree and type of skill needed at various levels, and how to obtain this knowledge. While these skills are not essential to military officers on a daily basis and have little importance in warfighting, they may at times be very important as in peace operations. When needed, they are really needed.

Endnotes

[1] Jim McCallum, US Army Peacekeeping Institute, interview by author, Carlisle Barracks, Pennsylvania, 5 March 1996; Sylvia Babus, Director of US Department of State Negotiating School, interview by author, Washington, DC, 1 March 1996; Margaret Neale, Professor of Organizational Behavior at Stanford Business College, interview by author, Stanford University, Stanford, California, 9 February 1996.

[2] Chester L. Karrass, "A Study of the Relationship of Negotiator Skill and Power as Determinants of Negotiating Outcome" (Ph.D. diss., University of Southern California, 1968), adapted by John Hammond, and as quoted by Howard Raiffa, The Art and Science of Negotiation (Cambridge, Massachusetts: Harvard University Press, 1982), 120-121.

[3] Based on a survey of 98 Command and General Staff College students, taken by the author, Fort Leavenworth, Kansas, 20-26 March 1996.

[4] Thomas R. Colosi, On and Off the Record: Colosi on Negotiation (Dubuque, Iowa: Kendall/Hunt, 1993), xvi.

[5] Fred Johnson, Center for Army Lessons Learned, interview by author, Fort Leavenworth, Kansas, 11 March 1996; Greg Fontenot, interview by Fred Johnson, 3 March 1996, videotape, Bosnia.

[6] U.S. Army, FM 100-23, Field Service Regulations--Peace Operations (Washington: Department of the Army, 1994), 13.

[7] Joint Warfighting Center, The Joint Task Force Commander's Handbook for Peace Operations (Washington: The Joint Warfighting Center, 1995), 55.

[8] John P. Abizaid, Colonel, Us Army, interview by author, Washington, DC, 27 February 1996; Lecture by Lieutenant General Zinni, Commander of US Marine Expeditionary Force I, 28 February 1996, United States Army Command and General Staff College.

[9] Interview with Jim McCallum; Interview with Sylvia Babus.

[10] Peace-keeping Training: Training for UN Peace-keeping Operations (New York: UN Department of Peace-keeping Operations Training), 6-1 to 6-13; Training Circular 7-98-1, Brigade and Battalion Operations Other Than War Training Support Package (Final Draft) (Fort Benning, Georgia: The US Army Infantry School, 1994), 2-356 to 2-363.

[11] Lecture by General Garrison, Commander of US Army Special Operations Command, 12 March 1996, United States Army Command and General Staff College; Lecture by Lieutenant General Zinni, Commander of US Marine Expeditionary Force I, 28 February 1996, United States Army Command and General Staff College.

[12] Peace-keeping Training: Training Guidelines and Exercises (New York: UN Department of Peace-keeping Operations Training, 1995), sections 3, 7, 8.

[13] Interview with Fred Johnson.

[14] Jim Knowles, Assistant Division Training Officer, 1st Armored Division, interview by author, Federal Republic of Germany, 1 March 1996.

[15] Interview with Jim McCallum.

[16] Interview by Fred Johnson with Greg Fontenot.

CHAPTER 4

OVERVIEW OF UNITED NATIONS IRAQ-KUWAIT OBSERVER MISSION

The purpose of this case study is to review one UN peacekeeping mission and use the backdrop of this mission to determine how best to place negotiating theory into practice. UNIKOM was selected for two reasons: the author's experience in and familiarity with the mission; and military observers have no tactical means of coercion and therefore must rely almost exclusively on negotiation to effect any changes. This type of mission offers many examples of negotiating practice, both good and bad.

Background

On 2 August 1990, Iraq invaded and occupied Kuwait, precipitating a series of events that led to Operation Desert Storm and ultimately the establishment of UNIKOM. Despite diplomatic efforts by the Arab League, the UN, US and other parties to defuse tensions, Iraq refused to depart Kuwait short of use of military force. When the Desert Storm ground war ended on 27 February 1991 with Iraqi forces ousted from Kuwait, the UN was still faced with several problems. These problems included the questions of reparation war debts, the release of hostages and return of remains from Iraq, the demarcation of the Iraqi-Kuwaiti border, and security of Kuwait.[1]

To address these issues the UN Security Council passed Resolution 687 on 3 April 1996 which, among other issues, established, a demilitarized zone (DMZ) between Iraq and Kuwait and a UN-observer unit formed under Chapter VII.[2] This resolution referenced thirteen other

Security Council resolutions covering a seven month period and is summarized in the appendix.[3] The resolution established the DMZ as extending ten kilometers into Iraq and five kilometers into Kuwait (see figure 2).[4]

UN Secretary General (SG) Perez de Cuellar took swift and decisive actions to establish this mission. The mission's advance party began arriving in theater on 13 April with the last element closing on 6 May. UNIKOM assumed DMZ observation duties on 9 May, only five weeks after the decision to establish the mission. To help transition from the conventional Desert Storm Coalition force controlling the DMZ to an unarmed observer mission, the SG temporarily deployed five infantry companies from the UN missions in Cyprus and Lebanon.[5]

UNIKOM's terms of reference (TOR) covered three main areas. The first was to monitor the Khor Abdullah and DMZ along the Iraq-Kuwait border. Secondly, to deter violations of the boundary through military observer (UNMO) presence in and surveillance of the DMZ. And last, to observe any hostile or potentially hostile action mounted from the territory of one state to the other. The concept of operations to support the TOR were surveillance, investigation, liaison, and maintenance of law and order.[6]

UNIKOM Organization

UNIKOM was a unique mission for two reasons. First it had unusually wide international support with thirty-four countries providing UNMOs.[7] Secondly, all five countries from the Security Council were represented in the same mission. This unique organization led to a novel approach with respect to representation. All non-Security Council countries had six or less UNMOs, while the big five provided 15 members each.

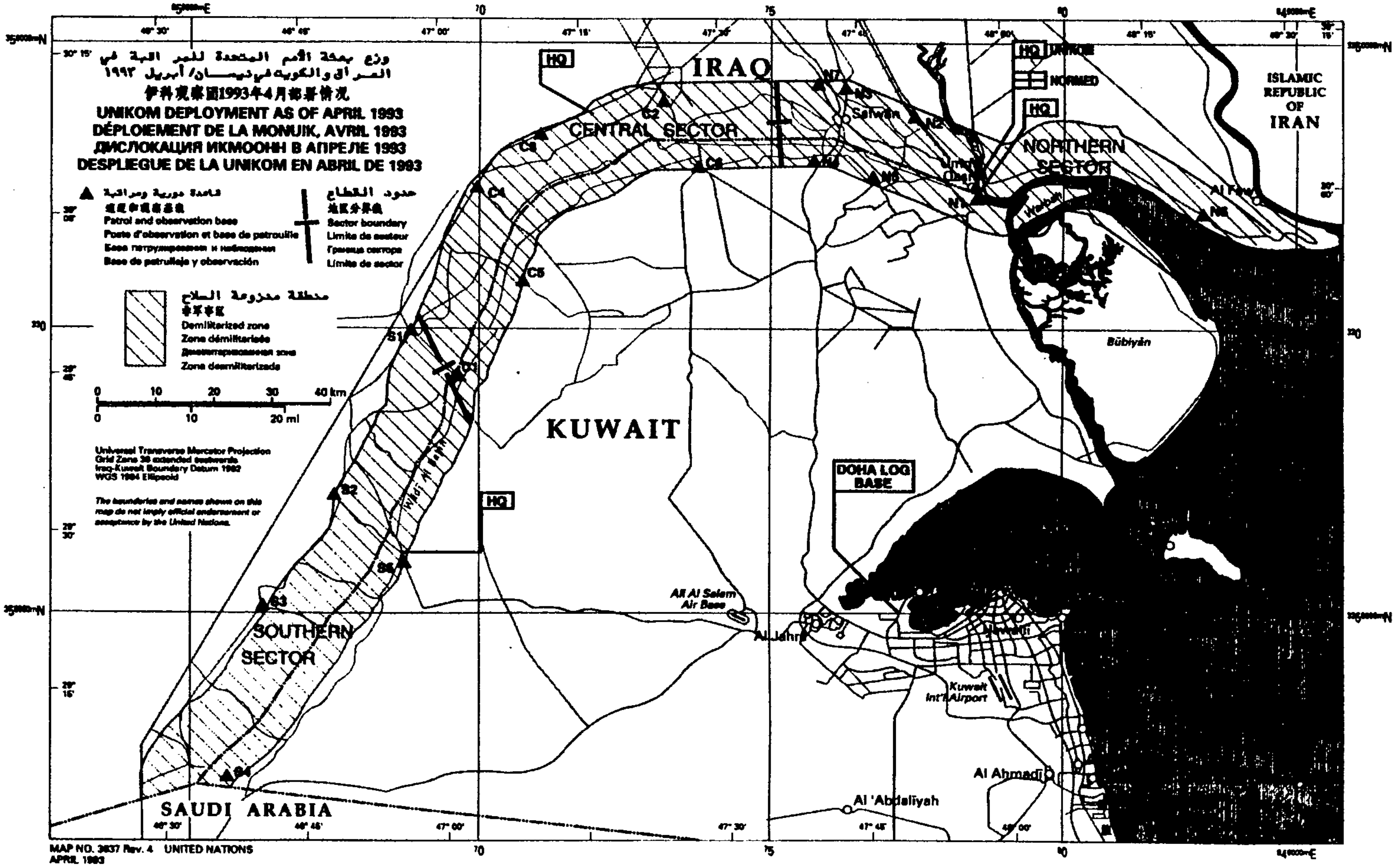
伊科观察团1993年4月部署情况
UNIKOM DEPLOYMENT AS OF APRIL 1993
DÉPLOIEMENT DE LA MONUIK, AVRIL 1993
ДИСЛОКАЦИЯ ИКМООНН В АПРЕЛЕ 1993
DESPLIEGUE DE LA UNIKOM EN ABRIL DE 1993
Patrol and observation base
Poste d'observation et base de patrouille
Base de patrullaje y observación
Sector boundary
Limite de secteur
Límite de sector
Demilitarized zone
Zone démilitarisée
Zona desmilitarizada
0 10 20 30 40 km
0 10 20 mi
Universal Transverse Mercator Projection
Iraq-Kuwait Boundary Datum 1992
WGS 1984 Ellipsoid
The boundaries and names shown on this map do not imply official endorsement or acceptance by the United Nations.
IRAQ
KUWAIT
SAUDI ARABIA
ISLAMIC REPUBLIC OF IRAN
CENTRAL SECTOR
NORTHERN SECTOR
SOUTHERN SECTOR
HQ
UNIKOM
NORMED
DOHA LOG BASE
Safwan
Umm Qasr
Al Faw
Bubiyan
Wadi Al Batin
Ali Al Salem Air Base
Al Jahra
Kuwait Int'l Airport
Al Ahmadi
Al 'Abdaliyah
N1
N2
N3
N4
N5
N6
N7
C1
C2
C3
C4
C5
C6
S1
S2
S3
S4
S5
S6
MAP NO. 3637 Rev. 4 UNITED NATIONS
APRIL 1993

Fig.2.--UNIKOM Mission Area. Source: United Nations, "UNIKOM Deployment as of April 1993," Map no. 3637, Rev. 4, April 1993.

UNIKOM Headquarters

UNIKOM was structured along military lines with a command group, operations, logistics, and administrative sections, as well as liaison offices in Kuwait City and Baghdad. Military units assigned include an Argentinean Engineer platoon (to maintain patrol routes and clear mines), an Austrian medical platoon, a Danish logistical platoon, and a Bangladeshi Infantry battalion. Additionally, it contained UN civilian sections of finance, transportation, personnel, logistics, operations and a civilian contract helicopter section.[8]

Most military were assigned as UNMOs (captains and majors), which meant they could be assigned where needed, but some of the more senior members were assigned to permanent positions by UN, New York. The senior member of the each big five delegation was a colonel and assigned in a permanent position: Russia provided the senior liaison officer (LNO) in Baghdad; China the senior Kuwait City LNO; Britain the Chief of Staff; France the Chief of Operations; and the US provided the Chief of Logistics.[9] The US was the logical choice to head up UN logistics since the US military supplied the materiel to launch UNIKOM. Further, the US base at Doha in Kuwait City continues to provide some support for the mission today. Selecting an American to liaise with Americans was and is in the UN's best interest. Other permanent positions include the mission commander (major general) and deputy commander (brigadier general), the three Sector commanders (lieutenant colonel)--all from rotating Third World countries; Deputy Chief of Operations (Canadian lieutenant colonel), Deputy Chief of Logistics (Danish lieutenant colonel) and Chief Investigations Officer (Irish lieutenant colonel).[10]

Sector and POB Organization and Duties

The Sectors were organized with a headquarters comprised of twelve officers all from different countries and patrol and operating bases (POBs). UNIKOM has eighteen POBs--seven in the North, six Central, and five in the South. Each POB has eight officers assigned from different countries.[11] The purpose of mixing countries was to reduce the possibility of biased reporting of violations and incidents based on national prejudices.

UNMOs working in a POB performed four major duties: patrolling, day radio watch, night radio watch, and administrative duties. Administrative duties include cleaning the POB latrine, kitchen, and operations room; recording fluid levels of the water tank (refilled weekly) and oil tank (used to run the generators); daily maintenance on the generator; washing POB patrol cars and recording their mileage levels; and preparing a communal-style dinner. The radio watch officer was essentially the POB duty officer--he monitored the radio, telephone, and maintained a duty log.

Patrolling occupied 40 percent of a UNMO's duty time. Patrols consisted of two UNMOs usually driving a Land Rover for three three-hour patrols each patrol day. In the Southern and Central Sectors, with limited roads and a larger area, patrols were along specific routes with planned stops at observation points and police stations and were confined to one side of the DMZ. In the Northern Sector, patrols had more variety. Patrols alternated between the Kuwaiti and Iraqi side of the DMZ and were usually directed to visit certain locations during a patrol--A patrol's scheme of manuever was left up to the patrol leader.

Patrolling requirements varied from time to time. Two or three times weekly, a POB would conduct a patrol by UN helicopter. When unexploded ordinance was discovered, the engineer platoon would conduct a controlled detonation under the patrol's supervision. When an Iraq-bound ship entered the Khor Abdullah, a patrol, accompanied by an Iraqi liaison officer, would visit the port area. Finally, patrols were directed to investigate unusual events, such as violations, new construction, demonstrations, and mobilization of police or Army forces. Most violations involved unauthorized weapons in the DMZ (police are allowed side arms only) and border crossings (mostly smuggling, but some were Iraqis looking for a new home).

Initial Problems

Initially, military observers had a heavy workload and more difficult circumstances. The first problem was the lack of physical facilities. The initial UNMOs lived in tents borrowed from the US Army while the three Sector Headquarters (North, Central, and South) worked out of bombed out buildings in the DMZ. The Mission Headquarters was more comfortable--their initial quarters and workplace was a five-star hotel in Kuwait City. Physical facilities eventually improved with the arrival of mobile trailers for POBs and sector headquarters. The Mission Headquarters moved into an Iraqi naval hospital in the DMZ port city of Umm Qasr.[12]

The second problem was possibly the most difficult for the UNMOs-- control of the border. Although a special commission was then working to demarcate the boundary between Iraq and Kuwait, no one knew the precise location of this border. Further complicating this issue was the presence of several roads all along the DMZ connecting the two countries. Two Iraqi towns (Umm Qasr and Safwan) in the Northern Sector caused problems because of their location. Some of the inhabitants of these towns were moved because they were determined to be on the wrong side of the border (in fact the marking and execution of the demarcation was taken literally--one three story building determined to be straddling the border was sawed in half with the Kuwaiti side razed and the Iraqi side left standing). Marking the boundaries along the roads did not stop the Bedouins from crossing back and forth in the desert as they had been doing for centuries. While UNIKOM experienced several border crossings a day in the first year, most violations were out of ignorance--understandably people did not know where the border was.[13]

The long-term solution, completed in 1994, was the construction of a berm and trench system along the border, sited approximately 30 meters into Kuwait from the actual border. The trench is 3 meters across, 2 meters deep, and 204 kilometers long (the length of the Iraq-Kuwait border). The Kuwaiti businessmen who privately financed the $20 million project[14] actually helped UNMOs control the border--it is now impossible to cross the border out of ignorance.

The Border Police

The Iraqi and Kuwaiti police organizations were similar in many ways. The police on both sides of the border shared basically the same organization. Both had the same number of border police stations inside the DMZ, with approximately the same number of police. Both were organized with a colonel in charge of their border police, a major in charge of a sector (like the UN, a north, central, and southern sector), and a captain in charge of two or three police stations. Both had a liaison office inside the DMZ where UNMOs could address complaints and seek redress.[15] It was at this point that the similarities end.

Iraqi Police

The Iraqi police in the Central and Southern Sectors were identical in organization to the Kuwaiti police, but the Northern Sector had several additions. This sector had additional police forces that were separate from the border police because the Iraqi Northern Sector contained two major towns, Safwan and Umm Qasr (both with populations of approximately 15,000 to 20,000, both down from their prewar sizes of 40,000). Iraq had city police in both towns; media police guarding a radio tower on Jebel Sanam (a small mountain overlooking the Safwan airfield where General Schwartzkoff signed the peace treaty, and the highest terrain feature in the DMZ); a police force guarding the idle Liquid Petroleum Gas (LPG) plant between Umm Qasr and Safwan; as well as port police and coast guard police overwatching the civilian and military port areas respectively in Umm Qasr.

These police all contained common components. They worked three weeks and received one week off. They were positioned against their will. Only the Safwan and Umm Qasr stations had vehicles, so the police had to walk to get anywhere. The remote police stations (everyone except in the towns) were dependent on a sporadic resupply system and therefore were often without water and food. All were subject to being relocated if determined that they were becoming too friendly with UN forces. If an officer was present, the enlisted police were very cool towards UN patrols; without an officer present, enlisted police members would request support from UN patrols, such as water, food, medicine, and cigarettes. Smart UNMOs tried to visit these police stations when the officers were gone--cultivating relationships with the enlisted police using bottles of water or packs of cigarettes which paid off tenfold in terms of information gained.[16]

The commander of the Iraqi police is also the senior Iraqi liaison officer (SILO). The SILO and his office were easy to work with for three possible reasons. First, he received his education at Sandhurst and was used to working with Western officers. He would immediately move with UNMOs to a problem area and fix the situation on the spot. In fact, he had the authority to evict civilians from their house or farm, and was therefore very much respected and feared by all Iraqis. Secondly, he had been in the same position for eight years and was very familiar with the entire border area. He knew what was normal and what was not acceptable. Another possible reason for his cooperation was his instructions from higher to accommodate UN personnel as Iraq very much needed to get international sanctions lifted. The Iraqi economic situation was dire--according to a British Broadcast (BBC) report, a college professor had to work for five weeks to buy one loaf of bread.[17] The inflation rate was such that one watermelon cost about one US nickel.[18]

Kuwaiti Police

The Kuwaiti police were strictly organized as border police because the Kuwaiti side of the DMZ had no towns and only a couple of farms in the Northern Sector. The Kuwaiti border police were subordinate to the National Police Force, a branch of the Kuwaiti Defense Forces.[19] Police were assigned to the border police for a two-year tour before returning to stations in Kuwait City. Of importance is that Kuwaitis need a sponsor to join the police forces, and therefore officers tended to come from politically connected families.

These police enjoyed a better quality of life than their Iraqi counterparts. Each police station had a barracks area, operations room, a mosque, and its own water tower. All had a servant to prepare and serve food. UNMOs visiting a Kuwaiti police station had to drink a beverage--tea, coffee or soda facilitating local customs--visiting more than two stations in a day could become uncomfortable. Because the border police worked two days on and four days off, each station had three groups of police. The impact of this policy, compounded by the fact that shift changes occurred without a briefing for the new crew, required UNMOs to address problems with a police station three times (days one, three, and five) to make a problem known.

The Kuwaiti liaison system further compounded the resolving of problems. While the Iraqi SILO was also the commanding officer, the four Kuwaiti liaison officers (LNOs) were lieutenants or junior captains. These LNOs could only make suggestions to police station commanders (senior captains) and Sector Commanders (majors). Because these LNOs work two days on and six off and change without briefing their replacement, UNMOs were required to address one problem four times (days one, three, five, and seven) just to air a grievance. UNMOs had little access to the Kuwaiti border police commander (a colonel) because he worked in Kuwait City and visited the border only once every two or three weeks. The Border Police Commander sat on the committee that meets with mission negotiators and therefore was an operational-level player versus his Iraqi counterpart who was available to every UNMO, and thus a tactical-level asset.

While the Kuwaiti LNO system was a frustrating process, the LNOs were an asset if cultivated properly. These LNOs came from the best Kuwaiti families and had connections to the ruling Al-Sabah family. All attended colleges in the US or England and were not only completely fluent in English, but understood the Western thought process. Earning the friendship of one of these LNOs could provide an indirect access to strategic levels.[20]

Summary

The center of gravity for UNMOs to maintain order in the DMZ during 1994 and 1995 was the Kuwaiti police. The Iraqi police and people did not have the resources to cause problems--no money, transportation, or propensity--most people worked sixteen or more hours a day on their farms just to feed their families. Further, the SILO decisively addressed whatever problems that arose.

The Kuwaitis had the resources and the motive to cause problems and in fact were responsible for over 90 percent of all reported violations in 1994, excluding overflights (which were probably American military planes).[21] Kuwait's motivation for keeping tension in the DMZ was to maintain international sanctions on Iraq. In the months prior to the December 1994 UN meeting to review sanctions against Iraq, UNIKOM experienced three major violations--two major border crossings by gangs who attacked Kuwaiti farms and beat residents, and one shooting incident in which a UN patrol car was ambushed from Iraq.[22] All three incidents suspiciously looked like Kuwaiti attempts to frame Iraq and maintain international sanctions. Because of Kuwait's motives and resources, most patrolling attention was focused on Kuwait.

Endnotes

[1] United Nations, "United Nations Iraq-Kuwait Observer Mission," Internet, http://ralph.gmu.edu/cfpa/peace/unikom.html, 1-3.

[2] S/RES/687 (1991), 8 April 1991.

[3] S/RES 660 (1990), 2 AUG 90; S/RES 661 (1990), 6 AUG 90; S/RES 662 (1990), 9 AUG 90; S/RES 664 (1990), 18 AUG 90; S/RES 665 (1990), 25 AUG 90; S/RES 666 (1990), 13 SEP 90; S/RES 667 (1990), 16 SEP 90; S/RES 669 (1990), 24 SEP 90; S/RES 670 (1990), 25 SEP 90; S/RES 674 (1990), 29 OCT 90; S/RES 677 (1990), 28 NOV 90; S/RES 678 (1990), 29 NOV 90; S/RES 686 (1990), 2 MAR 91.

[4] United Nations, "UNIKOM Deployment as of April 1993," Map No 3637 Rev 4, April 1993.

[5] Internet, unikom.html, 2-3.

[6] S/RES/687 (1991), Para B.5, 8 April 1991.

[7] Internet, unikom.html, 3-4; United Nations, "UNIKOM Souvenir Album," April 1995.

[8] United Nations, "Command and Organisation in UNIKOM," UNIKOM Induction Training (Umm Qasr, Iraq: UNIKOM, 1994), 15.

[9] Ibid. [10] Ibid., 16.

[11] Ibid., 16-17.; UNIKOM Map No 3637.

[12] UNIKOM, "Trailors for MILOBs," The UNIKOM News, Vol 2, No 1, April 1992.

[13] UNIKOM Violations Register, 1991, 92.

[14] Michael Jelley, Lieutenant Colonel, US Army, interview by author, Doha, Kuwait, 12 July 1994.

[15] Information on police is from personal visit and inspection by author to all Iraqi and Kuwaiti police stations in DMZ, September 1994 to March 1995.

[16] Ionnis Stromboulis, Major, Greek Army, interview by author, Shaheed Human, Iraq, 23 September 1994.

[17] BBC, "Iraq: Fours Years After Desert Storm," 27 February 1995.

[18] Stephan Johanssen, Captain, Swedish Army, interview by author, Safwan, Iraq, 12 December 1994; Joseph Lee, Major, Singapore Army, interview by author, Al Mazare, Kuwait, 15 July, 1994; Personal experience of author.

[19] Kuwait Country Study, 7.

[20] David Parks, Lieutenant Colonel, US Army, interview by author, Kuwait City, Kuwait, 3 June 1995.

[21] UNIKOM Violations Register, 1994.

[22] Ibid.

CHAPTER 5

COMPONENTS OF NEGOTIATING

Chapter five examines tactics, techniques, and procedures (TTP) for two of the more complex negotiating situations field-grade commanders will probably face in peace operations: two party sit-down negotiations, with the peace operator as one of the parties; and three party sit-down negotiations with the peace operator as mediator. A multiple party, multi-issue negotiation, such as that faced by Major General Thomas Montgomery when negotiating with Somali warlords in Mogadishu,[1] is the most complicated type of negotiation and is not addressed in this chapter. However, the two negotiating scenarios examined provide most of the skills needed in a multiple party negotiating situation. This chapter examines actions negotiators should take, or at least consider before, during, and after negotiations. It further provides a basis for preparing a checklist as a basis for future reference in negotiation situations. While not everything discussed in this chapter is applicable in all situations, negotiators should have exposure to as many tools as possible to broaden their potential for success. Negotiating, like war fighting or any other skill, requires practice to achieve a degree of expertise. However, a theoretical background provides a basis for a more rapid transition to practical expertise, and hopefully success.

Preparation

The most important portion of negotiations is the preparation phase. Negotiators should view this phase as analogous to a lawyer's preparations for a court case. William Ury believes that negotiations are much more efficient if the parties extensively prepare.[2] Daniel Webster, the skilled nineteenth century orator said he would rather give a speech half naked as half prepared. Preparation consists of determining the background of the problem, planning a strategy for conducting the negotiation, and war gaming.

Background of the Problem

Determining the background of the problem is the initial work required. The fact that a negotiation is required means that a conflict of some sort exists. Peace operators must find out as much information about this conflict as possible. Gaining information may mean conducting an investigation. The complexity, time available and importance of the problem will dictate the resources allocated. In some situations a simple review of facts may suffice, while others may require a thorough investigation with statements, photographs, and review of forensic evidence. While the immediate problem may be new, it possibly has roots in a more long-term problem. If an existing problem, find out the actions taken, decisions made, or agreements reached in the past by peace operators or the belligerents themselves. The local commander must be aware of the constraints imposed by higher. These constraints may be standing operating procedures (SOPs), UN mission rules, or limitations on negotiations.

One of the early decisions that commanders must make after gathering information is the who, what, where, when, and how of the negotiation. Who will negotiate is crucial. It is in a peace operator's interest to conduct early tactical negotiations at the lowest level possible. Using a lower ranking officer allows the peace operators to escalate negotiations later: "If we cannot reach an agreement at our level, then I will have to turn this over to our superiors to negotiate, which gives us little input into the final agreement." Because higher headquarters must review and approve any agreement reached by these negotiators, they can blame the poor results on a young and inexperienced officer--a useful technique which allows peace operators an out from a poor decision.

Cultural considerations may dictate that a more senior officer negotiate. Some cultures place great importance on nonverbal communications. While Americans view democratic and equal opportunity as important, other cultures may "value differences in rank and status more than equality."[3] Using a junior officer in these cultures signals that the negotiations are unimportant, and therefore, the problem is inconsequential.

What may be negotiated is the decision of higher headquarters. Tactical level commanders may only negotiate with the approval of, and with the guidance from higher headquarters. This ensures that any agreements made will support operational and strategic negotiations. Thus higher headquarters determine the flexibility that lower commanders have in negotiating.

Where to negotiate makes a statement. Negotiating in a peace operator's headquarters--or a neutral location, if the peace operator is responsible for the meeting--has major advantages. Taking responsibility for the meeting allows the peace operator to seat delegations next to each other, which sets the psychological stage for a "we" solution verses a "them and us" situation. It ensures that all tools such as maps, reports, and computers are posted or readily available. It allows the peace operator to choreograph the flow of the meeting, breaks and refreshments. Further, taking responsibility for the meeting provides the negotiator with an excuse to leave the meeting (as for an important phone call) when he needs time to gather his emotions or get instructions. Hosting the meeting allows a party or parties may get up and leave if they perceive that things are not going well. This is not necessarily bad as this provides a belligerent a means to save face, which is extremely important in many cultures. Saving face by leaving a meeting may cool off tempers enough to allow negotiations to continue later.

When to negotiate is dependent upon several issues. The negotiator must have all the facts--the investigation results, the background of the problem, and permission and guidance from higher. More importantly, the negotiator must have sufficient time to prepare a strategy for the meeting and to war game this strategy. Most critical, however, is establishing or improving a relationship with the negotiating parties. Various authors believe that relationships are of equal or greater importance than the substance of formal negotiations in many cultures to include Arabs[4] and Asians.[5] Paul Smith, president of Measurable Performances Systems, argues that you should never negotiate with a stranger; you must get to know the person first.[6]

Planning a Strategy for the Negotiation

Planning a strategy for the negotiation can be time-intensive, but provides the greatest payoff in reduced time in actual negotiations and the potential for success. Authors Roger Fisher and Danny Ertel recommend spending as much time preparing as you anticipate negotiating face-to-face.[7] The first step is to determine the positions and interests of all parties, to include your own and others who may have an interest in the negotiation. These terms are similar, but have significant differences. Fisher and Ury explain that a position is the stated stake one side has in the problem while the interest is the actual end state desired.[8] Because many parties in a negotiation try to hide their actual interest, discerning this interest can be difficult.

This difficulty is compounded in peace operations due to language and cultural problems. Both Israel and Egypt articulated their interest, prior to the Camp David agreement, as ownership of the Sinai. Neither was willing to compromise so agreement seemed hopeless as both had competing interests. A closer analysis showed that Egypt wanted ownership of the land which Israel occupied since the 1967 Arab-Israeli War (their position and interest) while Israel wanted military security (their interest). The negotiated settlement gave Egypt control of the land in exchange for implementing a demilitarized zone and establishing air bases for Israel.[9] The Camp David agreement worked because the negotiators were able to determine the true interests involved.

Because personal relationships with negotiating counterparts are so important to many cultures leaders should establish this relationship early in a tour. While most peace operators will meet with their counterparts as soon as possible after arriving in theater, few take the opportunity to establish a personal relationship. This relationship impacts on the negotiations because all negotiators have two interests--in the substance of the meeting and in the relationship.[10] Some peace operations environments are too fluid to allow relationships to flourish. Further, peace operators tend to stay in theater for short rotations, a year at most. In these situations, the negotiator may only be able to obtain a belligerent's positions beforehand. As a minimum, TC 7-98-1 recommends visiting negotiating counterparts before the meeting to determine their interests, decision-making authority, and flexibility allowed. Armies around the world have some commonality. Discussing training problems or separation from family provides a means of establishing a relationship. Talking about separation is a good segue into sharing family pictures and showing each other your human qualities.

The importance of personal relationships cannot be overstated. Part of the Indian Army deployed to Sri Lanka to serve as peacekeepers, with the mission to keep the Sri Lankan Army and the Tamil rebels separated. The Sri Lankan Army agreed to remain in their barracks while the Indian Army tried to negotiate with the Tamil guerrillas. However, a small incident between an Indian soldier and a Sri Lankan Army soldier began to escalate until a major battle between the Indians and the Sri Lankans looked like a distinct possibility. A Sri Lankan battalion was ordered to move to the city of Trincomalee to join the fighting. To reach Trincomalee, it had to pass through a road junction guarded by an Indian company. The company commander received the order to stop this battalion by force if necessary, but preferably without. He directed that his soldiers put all their weapons out of sight and walked out into the intersection to greet the Sri Lankan battalion. He met the battalion commander and invited him into his headquarters for a cup of tea. While drinking tea, he called the Sri Lankan G-1, a friend and classmate of his from the Indian Armed Forces Staff College, to try to de-escalate the situation. After a couple of tense hours, several cups of tea, and a three way conversation, all agreed that escalating the problem was not in anyone's best interest. The Sri Lankan battalion returned to their original post. Ultimately relations improved between the Sri Lankan and Indian Armies. According to the Indian commander, this situation could not have been contained except for the personal relationship between the Indian commander and the Sri Lankan G-1.[11] Because most commanders will not be fortunate enough to have a prior relationship with a decision maker or influential party, they will need to initiate and cultivate these relationships in theater.

The peace operator should determine what he will do and what the other parties will do if unable to make an agreement.[12] His options may be to escalate the negotiations to a higher headquarters, try again later, or attempt to work out negotiating rules with a difficult party on a personal basis. His estimate of the other party's actions should provide input into his own. Fisher calls this the Best Alternative to No Agreement (BATNA) or a "walk-away position."[13] Going into a negotiation without a predetermined BATNA severely handicaps your flexibility. To prevent this, the negotiator must not only identify his BATNA, but strengthen it as much as possible. If his BATNA is to escalate negotiations to the next level, knowing that the other party's boss is interested in reaching an agreement makes his position stronger. Further, he should identify the other party's BATNA and take steps to weaken it or at least formulate arguments to discourage the other party from using it. If this party feels that his BATNA is to walk away from negotiations as a means to force concessions from peace operators, and the negotiator knows that his boss wants an agreement, then he has a weak BATNA. Further, a negotiator can try to persuade him to reach an agreement by convincing him that if he does not, then his boss will. At least by talking with the negotiator, the other party can have input into the final agreement.

Using one's BATNA is not always necessary when negotiations go poorly. Ury feels that sometimes showing it is sufficient enough to get the meeting back on line.[14] If the negotiations are to try to get a belligerent to remove forces from an unauthorized area, the peace operator can deploy heavy forces to the vicinity in a show of force. When an Iraqi mob surrounded and menaced a UH patrol vehicle in Safwan, the police refused to intercede. The UNIKOM operations officer deployed a Bangladeshi Mechanized Infantry Company to the scene. The presence of this force accomplished what the UN patrol was unable to negotiate--its disengagement from the area.[15]

A display of one's BATNA must be credible--it cannot be a hollow threat. Therefore, the forces deployed to the area must be strong enough to convince the belligerent that negotiating is in his best interest. However, the rule of thumb is to display the minimal amount of BATNA necessary, which prevents an unplanned escalation. In some cases, a commander can show his BATNA at a greatly reduced risk and cost. By leaking the news that a strong force will arrive in two days, especially if exploited by public affairs, psychological operations, and civil affairs forces can be effective. This "display" of force involves less threat of escalation because you have no forces present to be drawn into a fight, and may be cheaper than deploying troops to the area. One commander in Bosnia displayed his BATNA by arranging for attack helicopters to fly over the meeting and tanks to drive by.[16] As Benjamin Disraeli, a nineteenth century British Prime Minister said, "Next to knowing when to accept an advantage, the next most important thing to know is when to forego an advantage."[17]

Fisher also espouses identifying a "micro-BATNA" or what a negotiator will do if that particular negotiating session produces no agreement.[18] Recognizing that some negotiations can be time-intensive, requiring several meetings, then peace operators need a BATNA for the over-all negotiations as well as one for individual meetings.

The next step according to Neale and Bazerman is to assign each of these interests a value.[19] Rating each interest provides the means to determine what is most important and what is negotiable. Examining the negotiator's rated interests next to the assigned ratings for the other party allows peace operators to look for trade-offs, mutual interests, and problem areas. The negotiator must look at the rated interests of others that may impact on the meeting. These other parties could include the US Army contingent commander, the United Nations mission commander, the negotiator's bosses, armed gangs, terrorists, or criminal groups in the area, the media, and the people in the area. These other players are important because the negotiator is trying to find a solution that the both parties can live with and explain to their respective constituencies.

If the negotiation is a two-party, one-issue conflict, the negotiation can very easily turn into an intractable, distributive or "win-lose" problem. A distributive negotiation is the process you go through to buy a car. The buyer establishes what Harvard professor Howard Raiffa calls the reservation price (RP), or the most the buyer will pay for the car. Similarly, the seller establishes his RP, the least he will accept. If the seller's RP is higher than the buyer's RP, then there is no possibility of an agreement without changes. If the buyer's RP is higher than the seller's, then the area between is the zone of agreement, or bargaining zone. Assuming a bargaining zone exists, then agreement depends on both parties compromising. If one party refuses to compromise then a deadlock can occur. A smart negotiator will develop other issues to put into the negotiation to allow an integrative agreement. Integrative solutions will be discussed later in this chapter. Figure 3 is Raiffa's representation of a distributive model.

The next preparation step is to identify this bargaining zone. Bazerman and Neale take Raiffa's concept of RP a step further by including an upper and lower limit for both the buyer and seller. The buyer's upper RP is the most he will pay and his lower RP is the least he reasonably expects to pay. The seller's RPs are the least for which he will sell and the most he reasonably expects to make.[20] Regardless

The Geometry of Distributive Bargaining

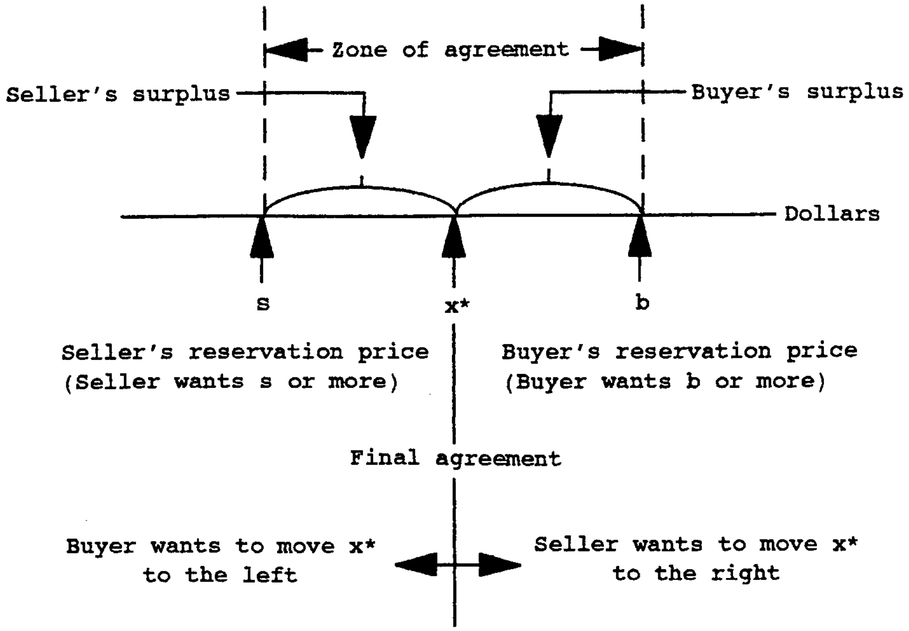
Zone of agreement
Seller's surplus
Buyer's surplus
Dollars
s
x*
b
Seller's reservation price
(Seller wants s or more)
Buyer's reservation price
(Buyer wants b or more)
Final agreement
Buyer wants to move x*
to the left
Seller wants to move x*
to the right

Fig 3. The geometry of distributive bargaining. Note: if $b < s$, there is no zone of agreement. Source: Howard Raiffa, The Art and Science of Negotiating (Cambridge, MA: Harvard University Press, 1982), 46.

of the method of using RPs, establishing the expected bargaining zone is a prerequisite for inventing options for mutual gain.

Inventing options for mutual gain is Fisher's method for expanding the "fixed-pie," the normal distributive transaction in which one wins at the expense of another. The closed-minded thinking in a fixed pie situation can be summed up by South Carolina Congressman Floyd Spence's comment: "I have had a philosophy for some time in regard to [the proposed] SALT [treaty], and it goes like this: the Russians will not accept a SALT treaty if it is not in their best interest, and it seems to me that if it is in their best interest, it can't be in our best interest."[21]

Inventing options is a creative brainstorming to find other issues to add to the fixed pie to create an integrative solution. If peace operators are trying to negotiate to get a belligerent force out of a restricted area, they want him to move and he wants to stay. The negotiator needs to create some options for him that are more favorable to him than staying in that area. When the Kuwaiti police doubled their authorized force in the DMZ, UNIKOM negotiators were able to convince them to return to approved strength levels in exchange for minimizing the incident to the UN and allowing them to wait one week to save face.[22] A belligerent may value sanitation or road improvements, which are also cheaper than fighting. His underlying reason for wanting to remain in the area may be access to water or grazing ground for his animals. Locating alternative areas for him is also cheaper than fighting. Perhaps he just wants to stay in that area for a few more days after the peace operations force retreats so that he could leave gracefully, and not under the peace operator's pressure. All these possible options for mutual benefit are expansions of the fixed pie, which may not have been examined without brainstorming.

Another area to examine is shared interests. If a negotiator can pinpoint a shared interest or interests, he has a starting point for brainstorming options. A shared interest in the previous example may have been the desire to avoid fighting. One way to figure out shared interests is to determine their perception of the situation. This means trying to see things from their point of view. The initial intelligence gathered before and after deployment is a good place to start. Re-examine all the geographical, political, historical, cultural aspects of the area, personality profiles, and perceived thought processes based on actions taken. The negotiator should determine the belligerent's degree of risk aversion or risk seeking in that particular situation. If he determines that the other party feels trapped, he may conclude the this party will be a risk seeker, which suggests caution. This analysis is what Larry Cable calls "the human terrain,"[23] the belligerent's probable actions, reactions, and counter-reactions to different situations.

Fisher suggests establishing mutually agreeable objective criteria as the basis for negotiations. This is easier to achieve in civilian negotiations than in peace operations. A mechanical engineer applying to a firm in Chicago could reasonably insist that a fair standard for determining his salary would be the average wage earned by mechanical engineers of his experience in Chicago. He would not accept an average wage paid in Keokuk, Iowa, nor would he accept the average wage paid to a gas station attendant in Chicago. A Bosnian Serb commander may reject the authority of the United Nations or his president. Using an agreed-upon objective standard is vital to establishing a "win-win" agreement may take more creative brain-storming to find.

Bazerman and Neale suggest one more step to take prior to negotiating--determining your and the other party's susceptibility to common negotiating mistakes. These common mistakes are irrational escalation, the mythical fixed pie, anchoring and adjusting, framing, availability of information, the winner's curse, and overconfidence. The fixed pie was discussed earlier.

Common Negotiating Mistakes

Irrational escalation is the continued commitment to an initial course of action after it becomes untenable. Two factors contribute to this escalation. The first is when a negotiator allows commitment to a course of action to bias perception and judgment. When fully committed to a plan, people tend to search for and accept data that confirms this course, and discount that which disproves it. This tendency supports the trait of consistency, a value Americans treasure in their leaders. The second is allowing ego and the American value of consistency can also fuel irrational escalation. Once committed to a strategy, changing plans may cause a constituency to believe that its negotiator is inconsistent. The negotiator, either knowing this or believing it to be true, may not be inclined to admitting failure and changing plans. More concerned with impression management than a detached, logical processing of data, he is more prone to accepting information supporting this original course of action.[24] One cure for this tendency is for organizations to evaluate decisions on process rather than on results. Peters and Waterman argue that many decisions are inherently risky and that rewarding good choices is more important for long-term organizational success than good results in a single decision.[25]

Anchoring and adjustment is another common negotiating mistake. At the beginning of a negotiation, both parties offer an initial position. To complete an successful negotiation, both parties must adjust their positions, often several times. At times, these initial positions act as anchors and inhibit exploring possible options to reach agreement. A common practice is for sellers to establish a high selling price and buyers to tender a low buying price, each hoping to use their initial bid to anchor negotiations and that their extreme bid will result in a more favorable outcome for them.[26] Both think, "if we split the difference, my extreme opening bid will get a closing price better than my RP."[27] In fact establishing a very high or low (but not too extreme) bid as a goal and not allowing it to anchor can result in better results.[28]

Northcraft and Neale used a real estate experiment to illustrate anchoring. They prepared a detailed listing for a house including the price of the property and a summary of residential sales in the city and the neighborhood for the last six months. They made four groups of packets, each with an altered listing price of the house. The prices were 12 percent over, 4 percent over, 4 percent under, and 12 percent under the actual listing price. They asked four groups of real estate agents to appraise the house, each group receiving a different of the four packets. Although only 19 percent mentioned listing price as a factor, and almost three-quarters said they used the average value per square foot of neighborhood houses times the square footage of the house to compute its value, the results showed pronounced anchoring. Agents shown the higher-valued packets appraised the house higher than agents using the lower-valued packets. If agents used the formula they claimed they used to compute value, then anchoring would not have been present.[29]

Framing is the manner in which information is presented or packaged. One portion of framing is a concept buyers have to overcome in a negotiation--what social scientists call the endowment effect, or the emotional value sellers tend to add to what they are selling.[30] An example of endowment effect occurred during an Arab summit after Saddam Hussein invaded Kuwait. Allegedly (this story was never publicized and may be apocryphal), the Arab League offered three concessions to Hussein to withdraw from Kuwait: They offered to let Hussein keep Bubiyan Island, which blocks a large portion of the Iraqi coast; keep the Ramaila oil field; and forgiveness or renegotiation of Iraq's twelve billion dollar war debt to Kuwait. Hussein's refusal may have been framed by the fact that he owned all of Kuwait, and that the Arab League offer was insufficient to overcome his endowment effect. Had Arab League negotiators framed their offer by telling Hussein that this compensation was for two weeks of work, he may have viewed the offer differently.[31]

When a belligerent refuses to allow an inspection, peace operators may need to reframe their request. UNMOs in the Northern

Sector reported that Kuwaiti police were bringing illegal weapons into the DMZ. The Kuwaiti police denied the allegation and refused to allow UNMOs to inspect their police stations. When presented with the proposal to inspect the stations after a two-day wait, the police agreed. This solution not only provided a winning solution for both sides, but increased mutual trust and confidence. The UN got the illegal weapons out of the DMZ (at least for a day, which was longer than would have been achieved without compromise). The Kuwaiti police were able to publicize the results of this inspection and thus present a favorable front to the international community.[32]

Another common mistake is availability of information, the tendency to pay attention to some facts while ignoring others. This tendency is a result of ease of retrieval of information or established search patterns. Both are products of the way one's mind and thought process is ordered. One study on retrieval of information showed that people read a list of famous men and women and asked whether the list contained more men or women, invariably picked the men. The list actually had more women, but the men were more famous. The same study proved the same for people picking women when the women were more noted, but less numerous.[33] Everyone has a search pattern that makes some information more accessible than others. Most people guess that more words begin with the letter "r" than have "r" as the third letter, when if fact the opposite is true. This is because the alphabetic structure of memory makes it easier to recall words beginning with "r."[34] This tendency suggests that war gaming and preparation with at least one other person can help to overcome the biases in one's thought processes.

The "winner's curse" is a the feeling a negotiator has when he tenders what he feels to be a low price and his negotiating partner quickly and eagerly accepts. This feeling of being taken advantage of is not one anyone relishes.[35] The negotiator may end up in this situation by incompletely examining all information or by simply not having access to the facts. Thorough preparation is the best prevention for this problem. If your negotiating partner makes an offer that could make him a victim of the winner's curse, you must protect him. Salesmen learn early to hesitantly accept when in this situation, because it helps prevent buyer's remorse, the disenchantment buyers get after making a purchase. The buyer's remorse in a negotiation is a party's active or passive opposition to fulfilling the terms of the agreement. In both cases, it makes no sense to complete an agreement that will not be implemented.

The UNIKOM mission commander was upset with the Kuwaitis for establishing barriers in the DMZ along patrol routes, which minimized the military observer's ability to patrol. In negotiating with the Kuwaiti government, he asked them to remove the barriers. When the Kuwaitis refused, he offered a trade. If the Kuwaitis removed the barriers, he would allow them to establish observation towers near the border. Because the Kuwaitis had campaigned for over a year to get these towers, they quickly accepted.[36] Ultimately, the towers became a source of many more problems than the restricted patrol routes for the mission. The mission commander later remarked to his aide that he made a serious error when he proposed his deal.[37] He (and the mission) was a victim of his own winner's curse.

The last major negotiating error is overconfidence and negotiator behavior. Many of the biases discussed earlier can contribute to clouding a negotiator's judgment, resulting in overconfidence. Negotiators fall victim to overconfidence most often in moderate to complex negotiations.[38] The best prevention is preparation and a designated "devil's advocate" to help the negotiator analyze data and potential strategies.

War Game

Commanders should war game their negotiations just as they would war game courses of action in war fighting. They should consider using their staff to role play, to identify, and to examine actions and reactions. Fisher suggests establishing a tripwire to signal that negotiations are approaching a BATNA.[39] This tripwire is akin to a decision point. A complex negotiation may include several decision points, depending upon the path that discussions follow. War gaming decisions at these decision points will help prevent surprises and negotiator errors.

A negotiation not only includes interactions between the principals sitting at the table, but also between members of a negotiating team, and between the negotiator and his constituency. The more complex the negotiation, the less that can be accomplished at the table.[40] Meeting with the other party's negotiator outside the formal negotiations allows both sides the ability to more honestly exchange ideas and proposals without the other negotiator worrying about loss of face and acting for his constituency. Meetings in informal settings or in the hallway between formal sessions may provide the best and quickest results. Part of the war gaming should include deciding when and how often these meetings take place.

One Arab concept that capitalizes on using informal meetings to smooth out negotiations is *wasta*,[41] which is essentially a "good old boy network," or a trading of favors. Favors performed were accumulated and traded like money. One UNMO befriended and spent off-duty time with a Kuwaiti LNO. While the UNMO's intention of this relationship was not to amass wasta, his relationship paid off in solving an intractable problem. During a period of tensions between UN and Kuwaiti police, the Kuwaiti police harassed UNMOs in Kuwait City (where the UNMOs had to go to buy food). No one was able to make progress in resolving this problem until this UNMO talked to his friend; amazingly, harassment stopped overnight.[42] Using informal meetings, whether with the negotiator or an influential third party, can remove or reduce problems in negotiations or even before formal meetings even begin.

Military officers will usually not have problems with their negotiating team because they are most likely the senior member of the team. There may be occasions when another negotiating team may have internal conflicts (such as between the commander and a political commissar or a junior officer related to the ruling party). If this conflict is a possibility or has occurred in the past, the negotiator should determine who the dominant person is and concentrate his efforts on winning the dominant person's support for his position. A salesman will orient his pitch towards the wife if he determines she is the decision maker, even if the husband is doing all the talking. If the dominant person is not the most senior, carefully consider how to sell this person without causing the commander to lose face.

The interactions between a negotiator and constituency can be complex. If a commander decides that a proposal is beyond the boundaries of his guidelines but in the best interest to the peace operation, then he will have to convince his commander. This applies to the US commander and the other party. The constituency may include more than the military chain of command. The issues may include political considerations requiring strategic-level approval. They may involve slanted media exposure that could bias a commander's ultimate constituency, the public of his own country. In a country beset with internal disorder, the other party's constituency may include armed gangs or terrorist groups. Negotiators have to take into account the reactions of all these groups. Part of war gaming is to determine the potential reactions of all these groups to different proposals. Ideally, a commander can help his negotiating partner to find a means to sell his constituency. A finished product should be akin to a war fighting commander's decision matrix, with prepared responses to the other party's actions. Part of this finished product should be a plan to manage the other party's expectations.

Expectation management is one step Colosi advocates early on, even before negotiations begin if possible.[43] The theory behind this step is that a party with lowered expectations who ends up with more at the end will be happy. Conversely, a party who does not achieve his high expectations will not be happy with the agreement and tend to be resistant to agreement implementation. Expectation management can be a powerful tool to close an agreement. A commander, authorized to give up three concessions, can lower expectations by telling his negotiating partner to expect no more than one. When this commander gives up a second concession to close the deal, the other party feels that he won and is more inclined to carry out the terms of the agreement. Part of this process involves lowering their expectations of you. A commander who tries to impress the other party with his knowledge or brilliance is actually working against his own interests. Others tend to react to a flashy negotiator the same way you would to a high-pressure car salesman, by being defensive. The archetype, albeit exaggerated, of a perfect negotiator is television's Columbo, who got information by acting slow and stupid.[44]

Obviously, expectation management is a balancing act. To get the other party to the table, the commander must offer some carrot to him, but without making any promises. At the same time, he must carefully disavow the belligerent of getting all that the latter wants. Salesmen become very good at gradually lowering expectations while simultaneously persuading their client to buy their product because it is so good.

Another portion of the negotiation a peace operator must carefully consider is the language problem and the use of translators. Colonel Fontenot strongly recommends rehearsing the meeting with the translator.[45] The translator must not only be fluent, but understand the nuances of both languages. A strategic example of how a translator can hurt negotiating efforts occurred during UN Secretary General Waldheim's 1980 visit to Iran to attempt to get US hostages released. He reportedly told Irani officials, "I have come as a mediator to work out a compromise."[46] He was unaware that mediate meant "to meddle" and compromise meant a "compromise of integrity." Within an hour of his remarks, broadcast on Irani radio, his car was stoned; needless to say, his trip was unsuccessful.[47]

A tactical example of language problems transpired in the Northern Sector when Kuwaiti police reported seeing an Iraqi armored vehicle in Safwan, Iraq. While the Kuwaiti Army alerted a reaction force to move to the border, the duty officer sent a patrol to investigate. The patrol leader reported that there was an Iraqi armored vehicle in Safwan, so the duty officer initiated a complaint to the mission headquarters and directed another patrol to pick up the senior Iraqi Liaison Officer (SILO) and drive to Safwan. After four hours of escalating tensions, the duty officer discovered that vehicle was a tank hull left over from Desert Storm that some enterprising Iraqi dragged from behind a building so that it was visible from across the border. He additionally was appraised that the patrol leader, an eastern European speaking in less than fluent English, was reporting a wrecked, not Iraqi, armored vehicle. The duty officer could have prevented this episode by insisting that the patrol leader put a native English speaker on the radio.[48]

After preparing, war gaming, and rehearsing (with translator), the negotiator must set up the meeting site. Setting the stage, especially for the initial meeting, can provide a psychological advantage in resolving the conflict.

The Negotiations

A smart negotiator carefully choreographs his meetings. One commander in Bosnia war gamed every conceivable aspect of the meeting. After deliberations, he selected the color of the tablecloth, seating arrangements, the heat of the building, the type of and timing for refreshments, and even the type of pens and paper to put on the table. His intent was to display strength and wealth. By carefully considering these variables, a negotiator can establish the tone for the entire negotiation process. This commander's desire was to obtain control of the meetings and the situation, which his thorough preparation and war gaming helped him to achieve.[49]

A good technique for a two-party negotiation is to ensure that both parties are seated side by side. This seating helps to create a more informal session.[50] It allows for both parties to see posted maps and documents. Psychologically, it sets the tenor for the negotiations--both parties are working with each other to solve the problem, instead of a belligerent against the peace operator. It sets the stage for a joint problem-solving session, a requirement for achieving long-term agreements. After physically and mentally setting the stage, the negotiator is ready to begin the meeting.

Opening the Negotiations

Beginning the meeting with social amenities and small talk. Remembering that Americans are impatient and goal oriented, while many other cultures are not, this socializing is not a waste of time. It provides time for the other party to feel comfortable with the relationship and process, which is vital to the negotiation. It further allows the commander to assess the mood or degree of risk taking of his partner and contingent, to reexamine the human terrain. Usually, allowing a bit of social interchange at the table before beginning the meeting can also be helpful. The commander can use this socializing at the table to gently steer the conversation to business. By doing this, he can allow the other party to make the opening bid.

Allowing the other party to open the negotiations has disadvantages and advantages. The disadvantage is that the party making the opening bid is that party may use that opportunity to frame the negotiations. As long as the commander is prepared for this tactic, it is not a problem. The advantage for the prepared commander is that he should have a war gamed plan for that opening bid. With sufficient trust and an easy issue or issues, reaching an agreement is neither difficult nor time consuming. The fact that peace operators are present implies that agreement will be difficult and lengthy.

Separate People from the Problem

The first phase of the negotiation involves what Fisher calls "separating people from the problem."[51] This phase is the most complicated portion, but necessary to work through to get to the point where true negotiations can begin. Initially, parties tend to exhibit high levels of distrust and emotion. During this emotional portion, it is absolutely essential to not react to the other party's outbursts. US and UN manuals prescribe allowing the other party to complete their tirade uninterrupted and with no outward reaction.[52] The other party's opening speech will probably indicate the degree of difficulty in working through this phase. Achieving an unemotional balance is easier said than done. Three techniques can assist this process.

Controlling Emotions

The first is to take a break. Taking this break under the pretense of making a phone call or checking with the negotiating team instead of reacting allows emotions to cool and for both parties to save face. Another means of using this break, assuming the peace operator's emotions are under control, is to talk to the emotional party over a cup of coffee to ascertain the reasoning and purpose behind the outburst. If both parties are emotional, whether in or out of a formal session, these emotions stand to escalate and even derail the negotiations.

The second technique is what Ury describes as "going to the balcony,"[53] which means mentally detaching oneself from the process at hand. Instead of being an actor on a stage with the other party, imagine sitting in the balcony of a theater watching the actors' interactions as a disinterested viewer. Using this technique, while difficult to affect, can counter destructive responses.

The third method is to anticipate the outburst and mentally prepare for it. UNIKOM negotiators knew that in every meeting, Kuwaiti officials became irrationally angry with the Iraqis and the UN for not correcting Iraqi transgressions. This tirade was usually in tandem with irrational charges that all knew to be false. Withstanding this verbal assault was easier with the foreknowledge that it was coming.[54]

Going to the balcony helps combat the three usual responses to negative emotions: verbally strike back, give in, or break off negotiations.[55] Striking back is counterproductive at best. In the words of a professional negotiator with thirty-five year's experience, "There is a direct relationship between . . . demonstrated negative behavior and the amount of time it takes to achieve an acceptable deal, the quality of the deal and the extent to which the deal will be implemented."[56] During one meeting, an UNMO working in the mission operations section reacted to this outburst--despite the best efforts of the UN party, they were unable to recover from this outburst--emotions were too high.[57] Giving into emotional outbursts has two negatives--it makes the conceding party later feel "had" and it encourages the other side's discourteous behavior in the future. Breaking off meeting with belligerents should be a last resort, as negotiation is a peace operator's vehicle for obtaining stability and moving to a lasting peace. Further, the amount of time normally spent in setting up a negotiation should dictate spending a little more time working through initial problems.

After both parties have presented their positions (hopefully interests), the next step is information gathering which requires active listening. While the other party is speaking, watch and listen carefully. Most people tend to frame their next pitch while their partner is speaking. A perceptive observer can learn a great deal from both verbal and non-verbal cues. Ury recommends "rewinding the tape" after a party speaks.[58] By this he means using phrases such as "Let me see if I got this right," or "What I understand you are saying." This serves three purposes. First, it ensures your understanding of what he is saying. Secondly, it reassures him that you are listening. If he knows he is communicating, he is more likely to listen to you. And finally, this technique allows you time to formulate your next response.

Body language, a part of the one-third concept of negotiation communications, can also transmit a lot of information. This concept states that communications occur on three levels: the spoken word; body language including facial expressions; and tone of voice, which includes sounds made or not made.[59] Crossed arms or facing slightly away, at least in western culture, signal defensive behavior. A sympathetic look and head nodding signify acceptance. Using this receptive body language, as all successful interviewers know, can draw information out of others. Even if the commander violently disagree with the other party's statements, he should try to portray receptiveness--he should agree with the fact that there is dialogue. Some people's mannerisms show when they are lying. One technique successfully used to catalogue mannerisms was employing two stenographers with laptop computers to record the meeting. One of the stenographers this commander used was actually a counterintelligence agent tasked to record mannerisms of the belligerents. By updating and analyzing this information in his personality profile database, he was able to determine that one negotiator displayed certain mannerisms when being deceptive. Watching for these mannerisms in future meetings helped keep him aware of negative tactics.[60]

Deceptive Negotiating Tactics

Deceptive tactics fit into three broad categories--obstructive, offensive, and deceptive. Obstructive tactics are stone-walling or refusing to budge from a position. Offensive tactics can involve attacks on a proposal, credibility, or status and authority. Tricks are deceptive measures taken to cause concessions. The underlying premise behind using tricks is that deceived party does not realize they are being manipulated.[61]

The first step to countering these tactics is to recognize them. A belligerent may attempt to stone-wall by declaring an ultimatum. The response is to test their seriousness by ignoring the statement and continue talking. If he is serious, then he will repeat it. If repeated, the negotiator must try to reframe the ultimatum. UNIKOM negotiators should have tried this technique to counter a Kuwaiti ultimatum:

> You say that you will flood the DMZ with police and disrupt UN patrols if we do not agree by noon today to allow you to put police observation towers near the border. I would like to finish this negotiation by tonight as well and if we are going to meet this time-frame, then we better get working.[62]

The lead negotiator should have made every attempt to keep the session going until just before noon and then be conveniently called away for an important phone call. Instead, negotiators caved into the Kuwaiti demand, and thus made future negotiations more difficult.

A common offensive tactic is the personal attack. Two techniques of responding are to deflect the attack by responding to the complaint behind the attack or to use humor. When accused of being incompetent, refuse to respond to the personal criticism but respond to the substantive complaint. He may say, "This is an idiotic idea. How did someone as stupid as you get promoted to your rank?"[63] You should respond with, "You may be right. What would you suggest as a better solution than my proposal?"[64] Using humor, you might respond, "I don't know--my wife often asks me the same question. What is a better way of resolving this issue?"[65] Often these attacks are not a result of genuine anger, but a tactic--the best response is not anger. As Vito (Don) Corlionne said in the Godfather, "Its not personal, its business."[66]

The most difficult tactic to reframe are deceptive tricks, because tricks are usually presented in a rational and calm manner. Tricks include lying, a false representation of authority, and the "good guy-bad guy" routine. The best way to expose tricks is play stupid, pretend to go along with the trick, but ask a series of escalating and probing questions. Then reframe the situation. For example, trying to expose a liar by accusing him of lying is risky as it may cause a belligerent to break off negotiations to save face. A face-saving line of questioning that may have gotten the Kuwaiti police to remove their illegal weapons may have been:

> You say you have removed all automatic weapons from the DMZ? So there is not a heavy machine gun at the Al Mazare Police Station? You do not have three rifles at the Abdally Police Station? My patrol reports must be wrong. Or is it possible that some civilians brought them to the DMZ? Do you think you could find them and get them to leave with their weapons? They are causing both of us problems.[67]

Another common trick is false representation of authority, where a negotiating partner tells you he cannot make decisions to alter his position after he got you to concede several points. To prevent this occurrence, ask direct questions early into the negotiations. Find out who specifically has decision-making authority and how long it takes to get this decision. The Kuwaiti police relied heavily on this technique, possibly because no one, short of invoking a *wasta* chip, was able to penetrate the multiple layers of bureaucracy to get to the decision maker. What UNMOs should have tried was, "Should we have included Colonel Abdullah in previous meetings? I'm sorry I put you on the spot. Can you arrange a meeting for me with Colonel Abdullah so that I can cover the issues we've discussed to date?"[68] If the police negotiator was evasive, then the UNIKOM negotiator should be on guard.[69]

The "good guy--bad guy" trick is a self-explanatory technique seen on most police shows on television. One method of deflecting this is exposure. When the "bad guy" tells his partner that they cannot give away a concession the partner wants to give away, and you believe they should give away two concessions, laugh and say, "That's the best "good-guy-bad guy" routine I've seen in years. Was that planned or just a coincidence. Seriously, let's try to make a fair agreement."[70] Another method is to have him justify why not providing the concession is fair. If he can rationally explain why not, then you need to consider foregoing that concession. If he cannot, then the issue is very much open.[71]

Negotiators must be alert to control their emotions and deflect deceptive negotiating practices throughout the negotiations. Destructive emotions tend to be more prevalent in the early stages, but may continue throughout. While deceptive negotiating measures become manifest at the end (or even after the end) of a negotiation, usually the seeds are planted early. Being aware of both emotions and deceptions, the negotiator is ready to begin the negotiation.

Focus on Interests, Not Positions

The first step is to negotiate about the negotiation. As Colosi said, "The first rule about negotiation is that there are no assumed rules for negotiation."[72] Peace operators do have guidelines to help establish negotiating rules--their mandate, terms of reference (TOR), or UN resolutions--but should not assume that these guidelines are accepted rules. In negotiations there are no facts, only assumptions unless both parties agree. If a belligerent refuses to accept the UN mandate, the mandate is only an assumption.[73] Therefore, peace operators must proceed slowly and carefully in defining the rules as these rules are the foundation for building a negotiation house. The more solid the foundation the longer the house or agreement will last.

After defining the rules, begin asking open ended questions to determine the true interests, the reasoning behind the interests, and negotiator latitude. Do not be satisfied with learning one interest as people most often have multiple interests. Ask "why" and "why not" types of questions.[74] This is a mutual education and discovery process made easier by the relationship and trust garnered earlier. Until both sides understand the other's interests, negotiations will progress slowly because neither party will know the mutual bargaining zone nor will either side be able to explore options to expand the "fixed pie." Sometimes getting a negotiating partner to trust enough to cooperate is difficult.

Two means of gaining trust are giving away information and creating doubts. The first, giving away some information, is intended to foster a reciprocal return on his part.[75] Although the information given away should not be critical to your position, the act of showing trust will hopefully garner trust from the other side. A second technique is to create doubts in the other's position. Although this technique does not seem logical at first, it actually gets the agreement to closure more efficiently. By gradually and logically persuading the other party that his position is not correct, eventually he will be arguing your position for you with his constituency; in short, he will be your advocate.[76] A rational way to initiate the process of eroding the other party's belief in his position is to get him to concede that history cannot be rewritten, that dwelling on the past will not fix the problems of today--and therefore the logical way to look is to the future.[77]

Even if unable to reach agreement in the short term, this discovery process can increase trust and confidence between parties and lead to resolution later. Further, this process is the prerequisite to the turning point in negotiations, brainstorming. UNIKOM negotiators did not reach this phase of negotiations with the Kuwaitis during the author's tour partially because UNMOs never correctly identified Kuwaiti interests. The successful negotiations went from establishing a relationship to agreement through the use of *wasta*.

Creating Options for Mutual Gain

A peace operator getting this far in a negotiation should feel good because he has accomplished one goal inherent in all peace operations missions: to get a belligerent to view the peace operator as fighting the problem with them and not fighting against them. Negotiations are not nearly complete, but a major corner has been turned. But before beginning to create options for mutual gain or brainstorm, both parties should agree to certain rules.

Brainstorming was discussed in the "preparing for negotiation" portion of this chapter but needs further elaboration as brainstorming involves before, during, and after portions in the "conduct of negotiation" phase. Before brainstorming, establish the ground rules for the session beginning with an agreement of the purpose for the session--a desired end state.[78] Part of the end state should be identifying mutual interests and proposals for dovetailing conflicting interests into a mutually agreeable solution, which may entail adding other issues to the negotiation. Both parties should accept that options discussed are only ideas, not concessions or agreements. A method for creating options is to make proposals in an "If . . . then" format.[79] Insist that this session be off the record. Minimizing the number of people in the brainstorming session facilitates this privacy and an open exchange of ideas. Both parties should suspend criticism and judgment until airing all possibilities.[80] After establishing rules, parties are ready to brainstorm.

To ensure an open exchange of ideas, negotiators should involve the other party in the discussions and try to avoid the American tendency to solve the problem unilaterally. Army officers know that when their subordinates are involved in the decision-making process, they are more apt to "buy" into, and thus support, the course of action selected. Likewise, by soliciting the other party's ideas, a peace operator can make his negotiating partner a part of the solution which in turn makes him more likely to support implementing the agreement. If making proposals, presenting multiple options is better than one or two only. Offering one option signals inflexibility while submitting two presents an "either-or" appearance which can limit thought process and frame the other party's response prematurely.[81]

After brainstorming, pick the best ideas and try to improve on them. Eliminate the "no-criticism" rule and invite the other party's constructive criticism to further link him to the solution and future enforcement of the agreement.[82] After selecting possible solutions, the peace operator must make three decisions before continuing: whether he needs time to discuss options with his chain-of-command (and his negotiating partner with his); if he feels comfortable enough to analyze options together; and when to reconvene, if a break is necessary. The collective decisions may depend on mutual trust, flexibility and decision-making authority afforded, and other factors. Regardless of the decisions made, the "after brainstorming" portion is similar to the develop and analyze courses of action steps in the deliberate decision-making process.[83]

When meeting to select an option, keep in mind the dimension of negotiating that occurs between a belligerent and his constituency. If he cannot sell his constituency then there can be no agreement, regardless of his opinion. Therefore, the peace operator must figure out how to help them save face, a process Ury calls "Building them a golden bridge."[84] This is during the stage where both parties are close to agreement, but one party is reluctant to commit. This is the time during the negotiation in which the peace operator must deliberately slow down the pace of negotiations to gradually draw the other party across the bridge.

If they have a problem with their constituency, then so does the peace operator. Therefore, the peace operator needs to determine how to make this partner's decision easier. One method to help them through this situation is to offer to escalate the decision to the next higher level. This solution relieves the belligerent from making a decision, but may lengthen the time until an agreement is reached. Another method, although possibly not available in a peace operation mission, is to offer to let a third party mediate or arbitrate. This option may not be practical because of the difficulty in finding a third party acceptable to both parties. A third option is to reframe the proposal so that it is acceptable to the negotiating partner's constituency. In 1962 President Kennedy announced to Soviet Premier Nikita Khrushchev that the US would not invade Cuba, which allowed Khrushchev a means of justifying to his constituency why he wanted to withdraw missiles from the island. Kennedy had no intention of invading so his concession was not really a concession, but it allowed the Soviet to save face--he safeguarded Cuba against capitalist aggression.[85]

As negotiations approach closure, peace operators may worry about a belligerent's compliance with the agreement. One means of ensuring compliance actually begins at the beginning of the negotiations, but becomes manifest towards the negotiation's end and after closure. This method is to take copious notes throughout all meetings and continually recap the discussions. Constantly recording and summarizing allows the peace operator to write and present the closing agreement. Writing the contract allows the author to control the language in the agreement and imbed enforcement clauses.[86]

The importance of the contract and its language to future enforcement and long-term compliance is another reason for slowing down towards the end of the negotiation. Friction between parties arises over contract language for two reasons. The first reason is that wording in the language is kept deliberately vague to gain agreement from the constituency. The second reason is that negotiators rushing to meet a deadline may gloss over the writing. The best solution is to get an extension, or even miss the deadline by a few hours to clean up the language.[87]

Regardless negotiators need to plan ahead and devise a means of safeguards or appeal process other than an international court. One successful safeguard used in labor negotiations is the negotiated grievance arbitration procedure, which establishes mechanisms for multiple opportunities to meet and work out an agreement. Usually, these meetings are allowed a certain amount of time to resolve problems and then are escalated up the hierarchy until a solution is found. The last resort should be litigation.[88]

In UNIKOM a solution may be to allow a sector commander and the sector police commander time to resolve their differences. Because of the police work schedule--two days on, four off (two on, six off for the LNOs)--these negotiations would need to include all involved police, regardless of their duty status. Escalation would move to the mission Chief of Staff or Deputy Commander and the Border Police Commander, and if needed to the Force Commander and Kuwaiti national command authority. The failure option would escalate negotiations to the UN New York headquarters.

Ensuring compliance is critical. Peace operators must take all steps to full implementation, for themselves as well as the other party. This compliance is especially important for new peace forces and missions--a belligerent who does not comply and avoids punishment makes a mockery of the entire negotiation process and the credibility of the peace force.[89]

Conclusion

The most important aspect to the negotiation process, a thread running through all phases, is the peace operator's personal relationship with his negotiating partner. In fact this relationship, may in some circumstances such as in UNIKOM, facilitate the negotiation moving from the relationship to agreement without hitting the intermediate steps. In cases where the personal relationship is with an individual not politically powerful enough to effect an immediate agreement, it may provide enough trust to successfully expedite resolution.

This personal relationship leads to trust, a prerequisite to honestly sharing interests which leads to brainstorming or searching for mutually beneficial options. Brainstorming provides the options to analyze, compare, and ultimately select.

Barring a personal relationship, preparation is the most critical phase, akin to the deliberate decision-making process. Because preparations can streamline the efficiency and effectiveness of negotiations, peace operators should spend sufficient time in preparation--at least one hour of preparation for every hour anticipated to be in negotiation. The biggest negotiator error is probably spending too little time preparing.

Endnotes

[1] Jim McCallum, US Peacekeeping Institute, interview by author, Carlisle Barracks, Pennsylvania, 5 March 1996.

[2] William Ury, Getting Past No: Negotiating Your Way From Confrontation to Cooperation (New York: Bantam, 1993), 16.

[3] Paul R. Kimmel, "Cultural Perspectives on International Negotiations," Journal of Social Issues 50, no. 1 (1994): 185.

[4] William B. Quandt, "Egypt: A Strong Sense of National Identity," National Negotiating Styles ed. Hans Binnendijk (Washington, DC: US Department of State, 1987), 106.

[5] Richard H. Solomon, "China: Friendship and Obligation in Chinese Negotiating Style," National Negotiating Styles, 7; Nathaniel B. Thayer and Stephan E. Weiss, "Japan: The Changing Logic of A Former Minor Power," National Negotiating Styles, 45, 66.

[6] As cited by Karen Birk, "Learning to Negotiate Could Boost Your Career," Milwaukee (Wis.) Screening, 12 September 1995, 2-3.

[7] Roger Fisher and Danny Ertel, Getting Ready to Negotiate: The Getting to Yes Workbook (New York: Penguin Books, 1995), 5.

[8] Roger Fisher and William Ury, Getting to Yes: Negotiating Without Giving In, 2d ed. (Boston: Houghton-Mifflin, 1991), 2-7, 40-55.

[9] Mark G. McDonough, "Middle East Negotiations: The Camp David Summit," case study used by the Kennedy School of Government, Harvard University, C14-79-261. See also Fisher, Getting to Yes, 116.

[10] Fisher, Getting to Yes, 17-21.

[11] Vijay Pillai, Lieutenant Colonel, Indian Army, interview by author, Fort Leavenworth, Kansas, 4 March 1996.

[12] Max H. Bazerman and Margaret A. Neale, Negotiating Rationally (New York: The Free Press, 1992), 78.

[13] Fisher, Getting to Yes, 98.

[14] Ury, 138-142.

[15] Alexis Naverro, Major, Venezuelan Army, interview with author, 23 November 1994; Northern Sector Duty Log, 23 November, 1994; UNIKOM Violations Register: 1994, 94-123.

[16] Fred Johnson, The Center for Army Lessons Learned, interview by author, Fort Leavenworth, Kansas, 11 March 1996; Greg Fontenot, Colonel, US Army, interview by Fred Johnson, Videotaped, Bosnia, 3 March 1996.

[17] Ury, 150.

[18] Fisher, Getting to Yes, 183-184.

[19] Bazerman, 79-80.

[20] Howard Raiffa, The Art and Science of Negotiating (Cambridge, MA: Harvard University Press, 1982), 80-81.

[21] C. Stillinger et al., "The 'reactive devaluation' barrier to conflict resolution," Working paper, Stanford University, 1990; as quoted in Bazerman, 19.

[22] Joe Joseph, Major, British Army, Northern Sector Headquarters, Camp Khor, Kuwait, interview by author, 26 September 1994.

[23] Speech by Larry Cable, Fort Leavenworth, Kansas, 14 February, 1996.

[24] Bazerman, 9-15.

[25] Thomas Peters and Robert H. Waterman Jr., In Search of Excellence: Lessons from America's Best-run Companies (New York: Harper and Row, 1982), 223-34.

[26] Bazerman, 23-30.

[27] Hypothetical and fallacious thought process many resort to in a negotiation. See Ibid.

[28] Edwin A. Locke III and Gary P. Latham, Goal Setting: A Motivational Technique That Really Works! (Englewood Cliffs, New Jersey: Prentice-Hall, 1990), 3.

[29] G. B. Northcraft and Margaret A. Neale, "Amateurs, Experts, and Real Estate: An Anchoring-and-adjustment Perspective on Property Pricing Decisions," Organizational Behavior and Human Decision Processes 39 (1987), 84-97.

[30] Bazerman, 31-41.

[31] The Wall Street Journal, 10 August 1990, 3; Time, 20 August 1990, 27-28; The New York Times, 5 August 1990, 1, 14-15; The Washington Post, 19 August 1990, Sec. K, "Commentary and Opinion"; as cited by Bazerman, 37-38.

[32] Proposal presented by the author on 17 January 1995, but the idea for this proposal came from Jozeph Spaics, Lieutenant Colonel, Hungarian Army, Northern Sector Headquarters, Camp Khor, Kuwait, 16 January 1995.

[33] Amos Tversky and Daniel Kahneman, "Judgment Under Uncertainty: Heuristics and Biases," Science 185 (1974), 1124-31; as cited in Bazerman, 44.

[34] Ibid.

[35] Bazerman, 49-55.

[36] Monte DeBel, Captain, US Marine Corps, interview with author, Ai Napa, Cyprus, 28 June 1995.

[37] Chris Gemetola, Captain, Nigerian Army, interview by author, Umm Qasr, Iraq, 3 July 1995.

[38] Baruch Fischhoff, Paul Slovic, and Sarah Lichtenstein, "Knowing With Certainty: The Appropriateness of Extreme Confidence," The Journal of Experimental Psychology Human Perception and Performance 3 (1977), 552-64; as cited in Bazerman, 56.

[39] Fisher, Getting to Yes, 101-102.

[40] Thomas R. Colosi, On and Off the Record: Colosi on Negotiation (Dubuque, Iowa: Kendall/Hunt, 1993), 20-21.

[41] U.S., Department of State, Country Study Kuwait, January 1995, 7.

[42] David Parks, Lieutenant Colonel, US Army, interview by author, Kuwait City, 2 July 1996.

[43] Colosi, 12-17.

[44] Ibid., 12.

[45] Interview with Greg Fontenot.

[46] As cited in Getting to Yes, 33.

[47] Ibid., 33-34.

[48] Duty officer was the author; Event was in Northern Sector, UNIKOM, 15 October 1994.

[49] Interview with Fred Johnson.

[50] Fisher, Getting to Yes, 61.

[51] Ibid., 19-39.

[52] See TC 7-98-1, 2-357; and Peace Enforcement, 27.

[53] Ury, 37-39.

[54] Interview with David Parks; Richard Curry, Major, British Army, interview by author, Umm Qasr, 29 October 1994.

[55] Ibid., 32-36.

[56] Colosi, ix.

[57] Interview with Richard Curry.

[58] Ury, 46-48.

[59] Colosi, 51.

[60] Interview with Fred Johnson.

[61] Ury, 40-41, 89-98.

[62] Hypothetical statement illustrating Ury's technique for countering an ultimatum in a negotiation. See Ibid.

[63] An example of a personal attack in a negotiation. See Ury 90-94.

[64] One example of treating a personal attack by refocusing the personal attack as an attack on the problem. See Ibid.

[65] One example of responding to a personal attack using humor. See Ibid.

[66] Mario Puzo, The Godfather (New York: G. P. Putnam, 1969), 119.

[67] An example of using reframing to get the truth from a negotiating partner without accusing this partner of lying. See Ury, 90-94; and Bazerman, 31-41.

[68] A possible example of deflecting the false use of authority in negotiations. See Ury, 97.

[69] An example of deflecting a "good guy--bad guy negotiating trick. See Ibid.

[70] Ibid., 98.

[71] Fisher, Getting to Yes, 136.

[72] Colosi, 5.

[73] Ibid., 109-110.

[74] Fisher, Getting to Yes, 44-48.

[75] Bazerman, 92-93.

[76] Colosi, 29-31.

[77] Fisher, Getting to Yes, 52-53.

[78] Ibid., 61.

[79] Colosi, 82.

[80] Fisher, Getting to Yes, 57-58, 60-63.

[81] Bazerman, 93-94.

[82] Ury, 110-114.

[83] U.S. Army Command and General Staff College, ST 101-5, Student Text--Command and Staff Decision Processes (Fort Leavenworth, KS: USCGSC, 1995), 1-7.

[84] Ury, 109-114.

[85] Ibid., 123.

[86] Colosi, 60-63.

[87] Ibid.

[88] Ibid.

[89] United Kingdom Ministry of Defence, The Army Field Manual, Volume V, Operations Other Than War, Part II: Wider Peacekeeping (London: Her Majesty's Stationary Office, 1994), 5-5.

CHAPTER 6

CONCLUSIONS

Summary and Analysis

Chapter one established a framework for conducting negotiations within a peace operations mission. Peace operations are designed to search for a means to establish a lasting peace. The spectrum of peace operations range from defensive actions (stop the fighting and separate the belligerents) to offensive maneuvers (de-escalate tensions and resolve the conflict). Within this spectrum peace operators use combat (conventional war fighting) and contact (de-escalation) skills to achieve their defensive and offensive goals.

Tactical negotiating is one contact skill that can assist moving the spectrum from conflict towards peace. The strategic level conducts negotiations to establish a peace treaty and ideally a rapprochement. Operational and tactical operators assist the strategic level by stabilizing their theater and local situation respectively. Just because the lower two levels are successful in their defensive actions does not mean that stability exists. Tensions between belligerent parties may be so intense that the strategic level has difficulty in consummating an agreement. Tactical operators engaged in offensive actions such as negotiating can help to de-escalate an emotional local situation enough to provide freedom of maneuver for higher levels to pursue a lasting peace.

Negotiating can also help tactical operators assist higher levels by augmenting force protection and gaining relative positional advantage. Using negotiating skills to de-escalate tensions can assist in force protection by reducing a belligerent's desire to hurt Americans. Properly conducted negotiations involve mutual brainstorming and joint problem-solving which builds trust between peace operators and belligerents and between the conflicting parties. Furthermore, negotiations can be a form of maneuver in that they can provide positional advantage in the peace process. This positional advantage may take the form of integrative agreements that support the TOR or enhance higher endeavors. An integrative agreement is not a "fixed-pie;" it is a "win-win" scenario that provides positional advantage for all participants. Senior US Army leaders recognized the potential power of negotiation by their surveyed responses in which they felt that all officers need negotiation training, but especially field-grade officers. However, despite this survey, the US Army still does not formally train its field-grade force in negotiation.

Furthermore, most indicators point to increased US involvement in future peace operations missions including: growing regional conflict and ethnic unrest, an aggressive UN peace policy coupled with a sharply escalating peacekeeping budget and US propensity to participate in these missions (often as the lead nation).

The future participation of US forces in peace operations is supported by at least two White House documents. A National Security Strategy of Engagement and Enlargement states that the "United States must be prepared to participate in multilateral efforts to resolve regional conflicts and bolster new democratic governments. Thus our forces must be ready to participate in peacekeeping, peace enforcement and other operations in support of these objectives."[1] Furthermore, Presidential Policy Decision (PPD) 25 recognizes that "UN peace operations can also provide a 'force multiplier' in our efforts to promote peace and stability."[2] These trends indicate continued if not increasing US involvement and because senior leaders recognize the need for tactical negotiations, the US Army should consider formal negotiation training for its officer corps.

Chapter two reviewed three broad groups of negotiations literature: UN and militaries; popular literature; and academia/ business. UN and military doctrine, while fundamentally sound in most peace operations areas, are lacking in describing how to negotiate and the theory behind the "how." Popular literature is inadequate for beginning negotiators because it does not sufficiently describe the theory behind prescribed negotiating actions. The best academic and business sources provide a total package for negotiating students: the mechanics of preparing and conducting negotiations, the theory behind the "how," and the problems Americans face when negotiating with other cultures. This chapter concluded that peace operators need to integrate the best of business and academic negotiating material with existing peace operations doctrine to derive a suitable approach to tactical negotiating.

Chapter three conducted an initial analysis of skills and attributes required to negotiate. The first analysis compared attributes professional negotiators desired with those prized in career army officers and determined that both lists shared considerable commonality. Three of the negotiator's attributes not on the Army's list--patience, self-control and a compromising temperament--suggest that peace operators should be conscious that they may need to change their behavior when negotiating.

This chapter also reviewed skills required at various leadership levels for negotiating in a peace operations mission and determined that higher ranks needed more skills than lower ones. Field-grade commanders should have as complete a "kit bag" of theoretical and practical skills as possible while sergeants need situational and interpersonal skill training. While units alerted for a peace operations deployment can train lower ranks in many of these skills during a train-up phase, field-grade officers need to learn their negotiating skills before this phase. Because training for peace operations is so different from conventional training, commanders need to be more involved in the former and therefore cannot afford to be away from their units for the three to five days experts deem necessary to train negotiation skills.

Chapter four used a review of UNIKOM as a baseline example to demonstrate the ignorance of field-grade officers in negotiating skills, the effectiveness of good negotiating as well as the consequences of poor negotiations and the dangers of peacekeeping. It further demonstrated that personal relationships are often more important than content in an intercultural negotiation.

Chapter five integrated the best of negotiating material and thought into a peace operations negotiating format illustrating steps with examples from UNIKOM and other sources. Because peace operations vary so much and because the types of negotiations field-grade commanders are likely to conduct are complex, developing a standard checklist is difficult. However, peace operators may apply the thought process developed in this chapter to the mission they face to derive an applicable procedure for preparing, conducting, and following up on negotiations.

The preparation phase is the most critical in negotiations and is similar to a deliberate decision-making process. Preparations consist of gathering information (including the other party's interests); developing, analyzing and rank-ordering potential proposals (courses of action); selecting and strengthening a BATNA and war gaming proposals. War gaming should consider reactions of all parties interested in the agreement and develop means of convincing these parties that proposed agreements are in their interest.

The conduct of negotiations is a step process that begins with establishing a personal relationship, and moves through developing mutual trust, a search for mutual gain ideally through joint brainstorming, development and analysis of potential solutions to an amicable agreement meeting the needs of both parties. The common thread throughout is the personal relationship, which is more important in other cultures than to Americans. US peace operators must cultivate this relationship at the earliest opportunity to maximize the potential for negotiating success.

Ensuring compliance is critical to a peace operation's credibility so negotiators should devise some concrete means of measuring and enforcing compliance. A mutually agreeable solution that overcomes the objections of the other party's constituency and all other influential parties is the best way to preclude the need to enforce compliance. Further, this type of solution has a better chance than a coerced agreement of long-term success.

Conclusions

Negotiation is a low-cost combat multiplier in peace operations that aims at de-escalating conflict, assisting force protection and providing relative positional advantage. Recognizing the reality of continuing if not increasing US involvement in peace operations, senior Army leaders must provide its field-grade officer corps with negotiation training. Current training is insufficient for present and future needs. While the USAWC conducts a negotiating elective, this class trains only seventy officers annually. While these future brigade commanders will have enough knowledge to negotiate, battalion commanders are now untrained.

Recommendations

Negotiations training must occur in the formal school system. The current operations tempo in divisions is significantly increased which means that units have less training time and commanders must devote all their precious time to their mission essential task list (METL). Peace operations skills are not on this list and should not because commanders can train their units in most of these skills in a relatively short time. Further, most units receive the required training time before deploying to peace operations missions. Negotiations training for field-grade commanders is one important exception. Commanders must receive this training before assuming command. Because the last common formal schooling officers receive before battalion command is the US Army Command and General Staff College (USCGSC), this school should provide negotiation training.

This training should be a one week (forty hour) negotiations course orienting on simple negotiations, mediations and cultural considerations. Training should range from a simple two-party distributive negotiation (such as a buyer and a seller) to a three-party integrative interaction involving two belligerents and a peace operator as mediator. Integrating cultural considerations into this training will make the lessons more directly applicable to their potential application in peace operations. Providing this course in USACGSC will prepare the future corps of battalion commanders for negotiating and training their units for peace operations missions.

As a minimum, USACGSC should contain at least an exposure to negotiating similar to the Navy's eight hour core course in their intermediate-level school coupled with an Army-wide plan to train a cadre of field-grade officers who can train officers alerted for a peace operations mission. The shortened core course should provide an exposure to cultural considerations and why other cultures view Americans as poor negotiators, attributes professional negotiators prize that conflict with those needed by Army officers and the purpose of negotiating. The purpose of negotiating in peace operations is to win the peace, not the argument--it should not be a dispute over pieces of a "fixed pie," but an integrative win-win solution.

Training at other officer schools should orient around the USACGSC course. Company commanders must be able to conduct simple checklist-oriented negotiations which exposure to at advanced course-level schools should suffice. This exposure at the advanced course will make the USACGSC training more meaningful. USAWC negotiation training should reinforce the USACGSC course and possibly expand into the more complex multiple party situations that future generals will potentially face.

Given that Peace Operations will continue and negotiation is a combat multiplier that can help resolve these conflicts, learning negotiating skills makes sense. Negotiating in conjunction with other de-escalating techniques has no negatives. It potentially reduces conflict, supports higher level missions, provides means to a longer-lasting resolution than coercion, and can save lives. Negotiating skills are applicable to other missions such as Internal Defense and Development (IDAD), discussions with contractors and interactions between staff officers. Negotiation is a neglected area of US Army doctrine with much potential. If it offers so much potential, why shouldn't we actively train officers to use the power of negotiations?

Endnotes

[1] The White House, A National Security Strategy of Engagement and Enlargement (Washington, DC: The White House, 1995), 9.

[2] President, Presidential Policy Decision 25, The Clinton Administration's Policy on Reforming Multilateral Peace Operations (Washington, DC: The White House, 1994), 1.

APPENDIX

SUMMARY OF SECURITY COUNCIL RESOLUTIONS LEADING TO THE FORMATION OF THE UNITED NATIONS IRAQ-KUWAIT OBSERVER MISSION

S/RES 660 (2 AUG 90).	Condemns Iraqi invasion and demands withdrawal under Articles 39 and 40.
S/RES 661 (6 AUG 90).	Calls on states to stop imports from and exports to Iraq and Kuwait except for humanitarian assistance, and to freeze assets from these countries. Under Chapter VII.
S/RES 662 (9 AUG 90).	Decrees annexation of Kuwait illegal and null and void.
S/RES 664 (18 AUG 90).	Demands that Iraq: allow third country nationals (TCN) depart Kuwait; allow access of consular officials; cancel closure of diplomatic missions and withdrawal of immunity of diplomatic personnel. Under Chapter VII.
S/RES 665 (25 AUG 90).	Asks states to deploy navies to stop shipping into and out of Iraq and Kuwait; reiterates economic sanctions of S/RES 661. Under Chapter VII.
S/RES 666 (13 SEP 90).	Reiterates embargo (except humanitarian supplies); Demands safety of TCNs in Kuwait; Asks states for information on treatment of children, expectant mothers, sick and elderly; asks states and the Secretary General (SG) for help in getting humanitarian supplies into Kuwait via the Red Cross and other organizations. Under Chapter VII.
S/RES 667 (16 SEP 90).	Condemns aggression against diplomatic mission and personnel and demands release of diplomatic personnel; reminds states to strictly obey previous resolutions. Under Chapter VII.
S/RES 669 (24 SEP 90).	Entrusts Committee (established by S/RES 661) to examine requests for assistance. Under Article 50.

S/RES 670 (25 SEP 90).	Demands that states deny overflights of aircraft bound for Iraq or Kuwait; asks states to prohibit Iraqi ships from entering their ports; consider measures against states not complying with S/RES 661. Under Chapter VII.
S/RES 674 (29 OCT 90).	Demands Iraq stop taking and mistreating hostages, and calls for their release; reminds Iraq it is economically and criminally liable for damages; asks states to negotiate with Iraq. Under Chapter VII.
S/RES 677 (28 NOV 90).	Condemns Iraq's attempt to alter the demographic composition of Kuwait and destroy civil records; mandates that SG obtain copy of Kuwait population register of 1 Aug 90. Under Chapter VII.
S/RES 678 (29 NOV 90).	Establishes goodwill pause before war until 15 Jan 91. Under Chapter VII.
S/RES 686 (2 MAR 91).	Demands that Iraq: release all hostages and remains of Kuwaiti and TCNs; meet with coalition leadership to arrange cessation of hostilities; provide information on all mines, chemical and biological weapons and material in Kuwait. Under Chapter VII.

BIBLIOGRAPHY

Books

Anstey, Mark. Negotiating Conflict: Insights and Skills for Negotiators and Peacemakers. Kenwyn, South Africa: Juta and Company, 1991.

Antokol, Norman, and Mauer Nudell. No One a Neutral: Political Hostage-Taking in the Modern World. Medina, OH: Alfa Publications, 1990.

Azar, Edward E., and John W. Burton. eds. International Conflict Resolution - Theory and Practice. Boulder, CO.: Lynne Rienner Publishers, 1986.

Bailey, Sidney D. How Wars End: The United Nations and the Termination of Armed Conflict, 1946-1964. Vols. 1 and 2. Oxford: Clarendon Press, 1982.

Bazerman, Max H, and Margaret A. Neale. Negotiating Rationally. New York: The Free Press, 1992.

Bercovitch, Jacob. Social Conflict and Third Parties: Strategies of Conflict Resolution. Boulder, CO: Westview, 1984.

Binnendilk, Hans, ed. National Negotiating Styles. Washington, DC: Center for the Study of Foreign Affairs, 1987.

Boutros-Ghali, Boutros. An Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-keeping. New York: United Nations, 1992.

Burton, John. Conflict and Communication: The Use of Controlled Communication in International Relations. London: Macmillan Press, 1969.

Charter of the United Nations and Statute of the International Court of Justice. New York: United Nations, 1945.

Cohen, Herb. You Can Negotiate Anything. Secacus, NJ: L. Stuart, 1980.

Cohen, Raymond. Negotiating Across Cultures: Communications in International Diplomacy. Washington, DC: US Institute of Peace Press, 1991.

Colosi, Thomas R. On and Off the Record: Colosi on Negotiation. Dubuque, IA: Kendall/Hunt, 1993.

Dixit, Avinash, and Barry Nalebuff. Thinking Strategically - The Competitive Edge in Business, Politics, and Everyday Life. New York: W. W. Norton and Co., 1991.

Donnelly, Thomas, Margaret Roth, and Caleb Baker. Operation Just Cause: The Storming of Panama. New York: Macmillan, 1992.

Faure, Guy-Oliver and Jeffery Z. Rubin. Culture and Negotiation. Newbury Park, CA: Sage, 1993.

Fetherston, A. B. Toward a Theory of United Nations Peacekeeping. University of Bradford, Department of Peace Studies, Peace Research Report Number 31, February 1991.

________. "The Problem-Solving Workshop in Conflict Resolution," In Peacemaking in a Troubled World, ed. Tom Woodhouse. New York: Berg, 1991.

Fisher, Glen. The Cross-Cultural Dimension in International Negotiation. Washington, DC: Foreign Service Institute, 1979.

Fisher, Roger, Elizabeth Kopelman, and Andrea Kupfer. Beyond Machiavelli. New York: Penguin Books, 1994.

Fisher, Roger, and Danny Ertel. Getting Ready to Negotiate: The Getting to Yes Workbook - A Step-By-Step Guide to Preparing For Any Negotiation. New York: Penguin Books, 1995.

Fisher, Roger, and Scott Brown. Getting Together - Building A Relationship That Gets to Yes. Boston: Houghton Mifflin, 1988.

Fisher, Roger, William Ury, and Patton, Bruce. Getting to Yes - Negotiating Without Giving In 2d ed. New York: Penguin Books, 1991.

International Peace Academy. Peacemaker's Handbook. New York: International Peace Academy and Pergamon Press, 1984.

Jandt, Fred E., and Paul Gillette. Win-Win Negotiating: Turning Conflict Into Agreement. New York: John Wiley and Sons, 1985.

Kahn, Lynn S. Peacemaking: A Systems Approach to Conflict Management. Lanham, MD: University Press of America, 1989.

Kolb, Deborah M., Kenneth Kressel, Susan Silbey, Christine Harrington, Austin Sarat, Sally Engel Merry, Lavinia Hall, John Forester, William O'Barr, Eileen Babbitt, Neal Milner, and Thomas Princen. Making Talk Work: Profile of Mediators. San Francisco: Jossey-Bass, 1994.

Koren, Leonard and Peter Goodman. The Haggler's Handbook: One Hour to Negotiating Power. New York: Norton, 1991.

Locke, Edwin A. III, and Gary P. Latham. Goal-Setting: A Technique that Really Works! Englewood Cliffs, NJ: Prentiss-Hall, 1990.

MacWillson, Alister C. Hostage-Taking Terrorism. New York: St Martin's Press, 1992.

Miller, Abraham H. Terrorism and Hostage Negotiations: Westview Special Studies in National and International Terrorism. Boulder, CO: Westview, 1980.

Morrison, William F. The Pre-Negotiation Planning Book. New York: John Wiley and Sons, 1986.

Nothdurft, K. H. The Complete Guide to Successful Business Negotiation. London: Leviathan House, 1974.

Peters, Thomas J., and Robert H. Waterman Jr. In Search of Excellence: Lessons from America's Best-run Companies. New York: Harper and Row, 1982.

Puzo, Mario. The Godfather. New York: G. P. Putnam, 1969.

Raiffa, Howard. The Art and Science of Negotiation. Cambridge, MA: Harvard University Press, 1982.

Reck, Ross R., and Brian G. Long. The Win-Win Negotiator. New York: Simon and Schuster, 1987.

Ricke, Richard D., and M. O. Sillars. Argumentation and the Decision-Making Process, 2nd ed. Glenview, IL: Scott, Foreman, 1984.

Schellenberg, James A. The Science of Conflict. New York: Oxford University Press, 1982.

Schelling, Thomas C. The Strategy of Conflict. Cambridge, MA: Harvard University Press, 1980.

Stewart E. American Cultural Patterns: A Cross-cultural Perspective. Yarmouth, ME: Intercultural Press, 1972.

Teger, Allan I., Mark S. Cary, Jay Hillis, and Aaron Katcher. Too Much Invested to Quit. New York: Pergamon Press, 1980.

Touval, Saadia, and William I. Zartman, eds. International Mediation in Theory and Practice. Boulder, CO.: Westview Press, 1985.

United Nations Department of Public Information. The Blue Helmets - A Review of United Nations Peace-keeping. 2d ed. New York: United Nations Department of Public Information, 1990.

Ury, William. Getting Past No - Negotiating Your Way From Confrontation to Cooperation. New York: Bantam Books, 1995.

Woodward, Bob. The Commanders. New York: Simon and Schuster, 1991.

Zartman, I. William. The 50% Solution - How to Negotiate Successfully With Hijackers, Strikers, Bosses, Oil Magnates, Arabs, Russians, And Other Worthy Opponents in This Modern World. Garden City, N.Y.: Anchor Press, 1976.

________, ed. The Negotiation Process - Theories and Applications. London: Sage Publications, 1978.

Monographs, Theses and Dissertations

Abizaid, John P. and John R. Wood. "Preparing for Peacekeeping: Military Training and the Peacekeeping Environment." Excerpt reprinted in Military Operations Other Than War, C520. Fort Leavenworth, KS:

United States Army Command and General Staff College, January 1996.

Ayers, Charles M. "Peacekeeping Tactics, Techniques, and Procedures." Langley Air Force Base, VA: Army and Air Force Center for Low Intensity Conflict, 1989.

Bath, Ronald J., Richard D. Crosby III, David E. McCracken, Jesse M. Perez, Wes Wolfe, and Mary Zurey. _Roads to New Strength: Preparing Leaders for Military Operations Other Than War - National Security Program Policy Analysis Paper 94-02_. Cambridge, MA: Harvard University Press, 1994.

Cavanaugh, John P. "Operation Provide Comfort: A Model for Future NATO Operations." Monograph, School of Advanced Military Studies, US Army Command and General Staff College, 1993.

Conroy, Richard William. "Beyond Peacekeeping: Strategies of United Nations Peace-Enforcement in a Turbulent World." Ph.D. diss., University of Notre Dame, 1994.

Karass, Chester L. "A Study of the Relationship of Negotiator Skill and Power as Determinants of Negotiating Outcome." Ph.D. diss., University of Southern California, 1968.

Kohler, Jeffery B. "Peace Enforcement: Mission, Strategy, and Doctrine." Monograph, School of Advanced Military Studies, US Army Command and General Staff College, 1993.

Last, David M. "Conflict Management and De-Escalation." Lecture presented at the United States Army Command and General Staff College, 28 March 1995.

________. _Theory, Doctrine, and Practice of Conflict De-escalation in Peacekeeping Operations_. Master of Military Art and Science Thesis, US Army Command and General Staff School, 1995.

MacKinley, John and Jarat Chopra. "A Draft Concept of Second Generation Multinational Operations - 1993." Providence, Rhode Island: The Thomas J. Watson, Jr., Institute for International Studies, Brown University, 1993.

Maynard, Wayne K. "The Peace Operations Schema: Rationalizing United Nations Peacekeeping in the Post-Cold War Milieu." Ph.D. diss., University of Alabama, 1994.

Pope, Thomas G. "From Camouflage Helmets to Blue Berets - The Transition from Peace Enforcement to Peacekeeping." Monograph, School of Advanced Military Studies, US Army Command and General Staff College, 1994.

Todd, Maurice. "US Army Role in UN Peace Support Operations." Unpublished paper, US Army Command and General Staff College, 1995.

Wellwood, Christopher R. "United Nations Peacekeeping: The Road to Success." Individual Study Project, US Army War College, 1992.

Periodicals and Articles

Bartos, Otomar J. "How Predictable are Negotiations?" *Journal of Conflict Resolution* 11, no. 4 (December 1967): 481-95.

Bazerman, Max H., and Margaret A. Neale. "Improving Effectiveness Under Final Offer Arbitration: The Role of Selection and Training." *Journal of Applied Psychology* 67 (May 1982): 543-48.

Bender, Jonathan. "Uncertainty and the Evolution of Cooperation." *Journal of Conflict Resolution* 37, no. 4 (December, 1993): 709-34.

Benedick, Richard Elliot. *Ozone Diplomacy - New Directions in Safeguarding the Planet*. Cambridge, MA: Harvard University Press, 1991.

Bertram, Eva. "Reinventing Governments: The Promise and Perils of United Nations Peace Building." *Journal of Conflict Resolution* 39, no. 3 (September 1995): 387-418.

Bourtos-Ghali, Boutros. "Empowering the United Nations." *Foreign Affairs* 72, no. 5 (Winter 1992-93): 89-102.

Center for the Study of Foreign Affairs. *International Negotiation: Art and Science*. Edited by Diane B. Bendahmane and John W. McDonald, Jr. Washington, DC: Foreign Service Institute, 1984.

Cowell, Alan. "Italy Backs Off Threat to Quit Somalia." *New York Times*, 19 July 1993, 3.

Davidson, William, and Joseph Montville. "Foreign Policy According to Freud." *Foreign Policy* 45 (Winter 1981-2): 145-57.

Fischoff, B., P. Slovic, and S. Lichtenstein. "Knowing With Certainty: The Appropriateness of Extreme Confidence." *The Journal of Experimental Psychology: Human Perception and Performance* 3, no. 3 (1977): 552-64.

Fisher, Ronald J. "Third Party Consultation: A Method for the Study and Resolution of Conflict," *Journal of Conflict Resolution* 16, no. 1 (March 1972): 67-94.

________. "Third Party Consultation as a Method of Intergroup Conflict Resolution: A Review of Studies," *Journal of Conflict Resolution* 27, no. 2 (June 1983): 301-34.

________. "Prenegotiation Problem-solving Discussions: Enhancing the Potential for Successful Negotiation." *International Journal* XVIV (Spring 1989): 442-74.

________. "The Potential for Peacebuilding: Forging a Bridge from Peacekeeping to Peacemaking." *Peace and Change* 3, no. 2 (1993): 247-63.

Fisher, Ron, and Loraleigh Kearshly. "Third Party Interventions in Intergroup Conflict: Consultation is *Not* Mediation." *Mediation Journal* 4, no. 4 (October 1988): 381-93.

Graham, John L. and Roy A. Herberger Jr. "Negotiators Abroad - Don't Shoot From the Hip." Harvard Business Review (July-August 1983): 159-68.

Gross-Stein, Janice. "Getting to the Table: The Triggers, Stages, Functions, and Consequences of Prenegotiation." International Journal XVIV (Spring 1989): 475-93.

Harbottle, Michael. "The Strategy of Third Party Interventions in Conflict Resolution." International Journal 35, no. 1. (Winter): 119-131.

"The Hijacking of TWA Flight 355." New York Times, 13 September 1976, B-3.

Horowitz, Sandra V., and Susan K. Boardman. "Managing Conflict: Policy and Research Implications." Journal of Social Issues 50, no. 1 (1994): 197-211.

Kimmell, Paul R. "Cultural Perspectives on International Negotiations." Journal of Social Issues 50, no. 1 (1994): 179-96.

Lorch, Donatella. "Rifts Among Forces in Somalia Hamper U.N. Military Effort." New York Times, 16 July 1996, 1, 6.

McDonough, Mark G. "Middle East Negotiations: The Camp David Summit." Case Study used by the Kennedy School of Government, Harvard University, C14-79-261.

MacKenzie, Lewis. "Military Realities of UN Peacekeeping Operations." RUSI Journal (February 1993): 21-4.

Montville, Joseph. "The Arrow and the Olive Branch: A Case for Track Two Diplomacy." Journal of Conflict Resolution 7, no. 1 (March 1963): 26-43.

________. and William Davidson. "Foreign Policy According to Freud." Foreign Policy 45 (Winter 1981-82): 145-57.

Northcraft, G. B., and Margaret A. Neale. "Amateurs, Experts, and Real Estate: An Anchoring-and-adjustment Perspective on Property Pricing Decisions." Organizational Behavior and Human Decision Processes 39, no. 1 (1987): 84-97.

Pedrick, Clare. "Unlikely Negotiators Help Mozambique Find Peace." The Washington Post, 9 October 1992, 17(A).

Petrovsky, Vladimir. Press Briefing by Under-Secretary-General for Political Affairs. New York: United Nations Headquarters, 15 September 1992.

Tversky, A., and Kahneman, D. "Judgment Under Uncertainty: Heuristics and Biases." Science 185 (1974): 1124-31.

United Nations. Background Note: United Nations Peace-keeping Operations, October 1993 (PS/DPI/15/Rev. 5). New York: UN Department of Public Information, October 1993.

US President. "The Clinton Administration's Policy on Reforming Multilateral Peace Operations." Presidential Policy Decision 25. Washington, DC: White House, 1994.

US White House. A National Security Strategy of Engagement and Enlargement. Washington, DC: The White House, February 1995.

Woerner, Manfred. "Less Threat, but Also Less Peace," ROA Security Report, November 1993, 46.

Military Manuals and Publications

10th Mountain Division. 10th Mountain Division (LI) After Action Report Summary, U.S. Army Forces Somalia. Fort Drum, NY: 10th Mountain Division, June 1993.

Center for Army Lessons Learned (CALL). Operation Restore Hope, Lessons Learned Report, 3 December 1992 - 4 May 1993. Fort Leavenworth, KS: CALL, November 1993.

________. U.S. Army Operations in Support of UNOSOM II. Fort Leavenworth, KS: CALL, October 1994.

________. *Haiti* D-20 to D+40. Fort Leavenworth, KS: CALL, December 1994.

________. French and British Peace Operations - Lessons Learned. Fort Leavenworth, KS: CALL, January 1995.

Department of National Defence. Canadian Forces Publication 301 (3) Peacekeeping Operations. First Draft. Ottawa: Supply and Services, 1991.

Hederstedt, Johan; Hee, Jorn; Orum, Nils; and Viljaranta, Olli. Nordic UN Tactics Manual. Vols. 1 and 2. Jyvaskyla, Finland: Gummerus Kirjapaino Oy, 1992.

Jershed, Ulf. UNPOC I: Liaisons and Negotiations. New York: UN Department of Peace-keeping Operations Training, undated.

Joint Warfighting Center. Joint Task Force Commander's Handbook for Peace Operations (Final Draft 11/15). Fort Monroe, VA: Joint Warfighting Center, 1995.

United Kingdom Ministry of Defence. The Army Field Manual, Volume V, All Arms Tactics, Special Operations and Techniques, Part 1: Peacekeeping Operations. London:Her Majesty's Stationary Office, 1988.

________. The Army Field Manual, Volume V, Operations Other Than War, Part II: Wider Peacekeeping. London: Her Majesty's Stationary Office, 1994.

United Nations. Peace-keeping Training: Training for UN Peace-keeping Operations. New York: UN Department of Peace-keeping Operations Training, undated.

________. Guidelines for National or Regional Training Programmes. United Nations, 91-02208.

________. United Nations Iraq-Kuwait Observer Mission. "UNIKOM Deployment as of April 1993." New York: United Nations, Map no. 3637, Rev. 4, April 1993.

________. Peace-keeping Training: Training Guidelines and Exercises. New York: UN Department of Peace-keeping Operations Training, 1995.

United Nations Iraq-Kuwait Observer Mission. "UNIKOM Souvenir Album." Umm Qasr, Iraq: United Nations Iraq-Kuwait Observer Mission Headquarters, 1995.

________. UNIKOM Induction Training. Umm Qasr, Iraq: United Nations Iraq-Kuwait Observer Mission, 1993.

US Army. FM 100-20, Field Service Regulations--Military Operations in Low Intensity Conflict. Washington, DC: Department of the Army, 1990.

________. FM 100-5, Field Service Regulations--Operations. Washington, DC: Department of the Army, 1993.

________. TP 525-56. Planner's Guide for Military Operations Other Than War. Fort Monroe, VA: Training and Doctrine Command, September 1993.

________. FM 100-23, Field Service Regulations--Peace Operations. Washington, DC: Department of the Army, 1994.

US Army Infantry Center. TC 7-98-1. Training Circular--Battalion and Brigade Operations Other Than War Training Support Package (Final Draft). Fort Benning, GA: US Army Infantry School, May 1995.

________. White Paper - The Application of Peace Enforcement Operations at Brigade and Battalion. Fort Benning, GA: US Army Infantry School, 31 August 1993.

US Department of State. Country Study--Kuwait. Washington, DC: Department of State, January 1995.

US Department of Defense. JP 3-07.3. Joint Tactics, Techniques and Procedures (JTTP) for Peacekeeping. Washington, DC: Department of Defense, 1994.

________. JP 0-2. Unified Action Armed Forces. Washington, DC: Department of Defense, 1986.

________. JP 3-07. Joint Doctrine for Military Operations Other Than War (Final Draft). Washington, DC: Department of Defense, 1994.

Interviews and Speeches

Abizaid, John P., Colonel, US Army. Interview by author, Washington, DC, 27 February 1996.

Babus, Sylvia, US Department of State Negotiating School. Interview by author, Washington, DC, 1 March 1996.

Cable, Larry. "Counterinsurgency Operations." Lecture presented at Fort Leavenworth, KS, 14 February 1996.

Curry, Richard, Major, British Army. Interview by author, Umm Qasr, Iraq, 29 October 1994.

Debel, Monte, Captain, US Marine Corps. Interview by author, Ai Napa, Cyprus, 28 June 1995.

Fontenot, Greg, Colonel, US Army. Interview by Fred Johnson, 3 March 1996, Bosnia. Videotaped.

Garrison, General, Commander of US Army Special Operations Command. "Special Operations." Lecture presented at Fort Leavenworth, KS, 12 March 1996.

Gemetola, Chris, Captain, Nigerian Army. Interview by author, Umm Qasr, Iraq. 3 July 1995.

Jelley, Michael, Lieutenant Colonel, US Army. Interview by author, Camp Doha, Kuwait, 12 July 1994.

Johanssen, Stephan, Captain, Swedish Army. Interview by author, Safwan, Iraq. 12 December 1994.

Johnson, Fred, Captain, US Army. Interview by author, Fort Leavenworth, KS, 11 March 1996.

Joseph, Joe, Major, British Army. Interview by author, Camp Khor, Kuwait, 26 September 1994.

Knowles, James, Captain, US Army. Interview by author, Federal Republic of Germany, 1 March 1996.

Lee, Joseph, Major, Singapore Army. Interview by author, Al Mazare, Kuwait, 15 July 1994.

McCallum, James, US Army Peacekeeping Institute. Interview by author, Carlisle Barracks, PA, 5 March 1996.

Naverette, Alexis, Major, Venezualan Army. Interview by author, Camp Khor, Kuwait, 23 November 1994.

Neale, Margaret, Professor of Organizational Behavior, Stanford University. Interview by author, Stanford, CA, 5 February 1996.

Parks, David, Lieutenant Colonel, US Army. Interview by author, Kuwait City, Kuwait, 3 July 1995.

Pillai, Vijay, Lieutenant Colonel, Indian Army. Interview by author, Fort Leavenworth, KS, 4 March 1996.

Stromboulis, Ionnis, Major, Greek Army. Interview by author, Shaheed Human, Iraq, 23 September 1994.

Zinni, Lieutenant General, US Marine Corps. The United States Marine Corps and Operations Other Than War." Lecture presented at Fort Leavenworth, KS, 28 February 1996.

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